

Page 70	Page 72
<p>1 Christian Holinka 126</p> <p>2 Q And you would not have an opportunity to 3 see how they were stored there, right?</p> <p>4 A No.</p> <p>5 Q Did you have any responsibility for 6 ordering any Bunsen burner pads when you were doing 7 your research at this lab?</p> <p>8 A No, I did not.</p> <p>9 Q Do you know the brand, trade or 10 manufacturer's name specifically of those pads that 11 were supplied to you and used there?</p> <p>12 A They were supplied by standard suppliers.</p> <p>13 Q I guess my question, sir, is if you did not 14 do the ordering of the supplies, do you know 15 specifically who supplied the --</p> <p>16 A Specifically I --</p> <p>17 MR. DARCHE: I am going to object to the 18 form as being argumentative.</p> <p>19 Q And I do not mean to be argumentative, sir. 20 I am just trying to establish that you did not order 21 the pads, right?</p> <p>22 A That is correct.</p> <p>23 Q And was there anything about the pads 24 identifying who supplied them on the pad itself?</p> <p>25 A No, there wasn't.</p>	<p>1 Christian Holinka 128</p> <p>2 Q Did those mittens appear similar to those 3 that you had encountered previously in your career?</p> <p>4 A Yes.</p> <p>5 Q They were one thumb and then one unit 6 covering all of the fingers?</p> <p>7 A That's correct.</p> <p>8 Q And did they go approximately the same way 9 up your hand?</p> <p>10 A That's correct.</p> <p>11 Q And in terms of their consistency and 12 color, everything was similar to that which you had 13 seen before?</p> <p>14 A Yes.</p> <p>15 Q Let me ask you with respect to the pads at 16 this anatomy department, why do you think that they 17 contained asbestos?</p> <p>18 A It was general knowledge that the centers 19 contained asbestos.</p> <p>20 Q And how did you first become aware of this 21 general knowledge that the center was asbestos?</p> <p>22 A I could not tell you the time.</p> <p>23 Q Can you tell me how you came to this 24 general knowledge?</p> <p>25 A Through colleagues, co-workers.</p>
<p>1 Christian Holinka 127</p> <p>2 Q No logos or writing --</p> <p>3 A No.</p> <p>4 Q -- or anything imprinted or embossed on the 5 material?</p> <p>6 A No.</p> <p>7 Q How often would you encounter the --</p> <p>8 MR. SCHAFER: Withdrawn.</p> <p>9 Q How often would you use the mittens when 10 you were doing your research at this lab?</p> <p>11 A About once every two days.</p> <p>12 Q Did you ever have to replace the mittens 13 that you were using at the lab?</p> <p>14 A Yes.</p> <p>15 Q And would you when you needed to get 16 replacement mittens go to the same supply person in 17 the supply room?</p> <p>18 A Yes.</p> <p>19 Q Do you know specifically the brand, trade 20 or manufacturer's name of the mittens that you used 21 there?</p> <p>22 A No.</p> <p>23 Q Do you know who supplied specifically those 24 mittens that you used there?</p> <p>25 A No.</p>	<p>1 Christian Holinka 129</p> <p>2 Q Did they specifically, whoever it was, 3 advise you that the material did contain asbestos?</p> <p>4 A No.</p> <p>5 Q Do you know what, if any, other materials 6 might provide the same sort of abilities as asbestos 7 that may have been used on these pads?</p> <p>8 MR. DARCHE: Objection.</p> <p>9 Q But did you understand my question, sir?</p> <p>10 A Yes.</p> <p>11 Q You can answer the question then.</p> <p>12 A Can I?</p> <p>13 Q Yes.</p> <p>14 A No, I don't know.</p> <p>15 Q And why do you believe that the mittens 16 that you used at the anatomy department contained 17 asbestos?</p> <p>18 A I believe it was specified in the catalog, 19 "asbestos mittens."</p> <p>20 Q You did not have the responsibility for 21 ordering the mittens, right?</p> <p>22 A No, I did not.</p> <p>23 MR. DARCHE: Objection, asked and answered. 24 If I object wait for me to object before 25 you answer.</p>

Page 74	Page 76
<p>1 Christian Holinka 130</p> <p>2 Q When was the first time that you came to 3 believe that the mittens that you were using contained 4 asbestos?</p> <p>5 A I do not recall the exact time.</p> <p>6 Q Can you give me, looking back up to where 7 we are right now, whether it was before you were 8 taking your course work at SUNY Stony Brook or after 9 that?</p> <p>10 MR. DARCHE: I am just going to object. 11 Don't guess.</p> <p>12 The witness has already testified as to 13 what he recalls.</p> <p>14 MR. SCHAFER: Well, I am asking him the 15 basis for his recollection that they actually 16 were asbestos.</p> <p>17 MR. DARCHE: So ask him that.</p> <p>18 Q Why do you believe the mittens --</p> <p>19 MR. DARCHE: You already asked him that.</p> <p>20 MR. SCHAFER: Right.</p> <p>21 Q And my question is when was the first time 22 that you came to the belief that mittens that you used 23 contained asbestos.</p> <p>24 MR. DARCHE: I am just going to object to 25 the form.</p>	<p>1 Christian Holinka 132</p> <p>2 specific ways that you believe you were exposed to 3 asbestos when you were doing your research work at the 4 SUNY Stony Brook anatomy department lab?</p> <p>5 A I do not know.</p> <p>6 Q Was the physical layout of the benches and 7 equipment that may have been in the lab constant from 8 when you first started doing your research there until 9 when you left?</p> <p>10 A Yes.</p> <p>11 Q Can you estimate how many hours per week 12 you would put in part-time at the Columbia University 13 clinical chemistry department during the time you were 14 there?</p> <p>15 A Approximately 12 hours.</p> <p>16 Q And this was located where on Columbia 17 Presbyterian's grounds?</p> <p>18 A The main building on 168th Street.</p> <p>19 Q What floor was the area where you worked?</p> <p>20 A I don't remember.</p> <p>21 Q Was it in a laboratory as well?</p> <p>22 A Yes.</p> <p>23 Q And did you work in this one laboratory the 24 entire --</p> <p>25 A Yes.</p>
Page 75	Page 77
<p>1 Christian Holinka 131</p> <p>2 You can answer, if you can.</p> <p>3 A I do not recall the exact time.</p> <p>4 Q And this is one of those times, sir, that I 5 am entitled to probe a little further and try and get 6 a best estimate as to when you came to this knowledge.</p> <p>7 MR. DARCHE: But don't guess.</p> <p>8 Q Right, nobody is asking you to guess.</p> <p>9 A I would have to guess.</p> <p>10 Q That is fair. Nobody wants you to.</p> <p>11 When you would receive the mittens from the 12 supply person, did they come packaged in any way?</p> <p>13 A No, not to my knowledge.</p> <p>14 Q And would you have any understanding as to 15 how long a pair of mittens would last when you were 16 doing your research at SUNY Stony Brook?</p> <p>17 A Relatively long because I was the only 18 person at the laboratory, that's the only person using 19 them. Relatively long, I would guess four months.</p> <p>20 Q And when the mittens got to a point where 21 you felt that they had to be replaced, what would you 22 do with them?</p> <p>23 A I would dispose of them and get a new one, 24 set from the supply room.</p> <p>25 Q As you sit here today are there any other</p>	<p>1 Christian Holinka 133</p> <p>2 -- time that you were working there?</p> <p>3 A Yes.</p> <p>4 Q And how do you believe you were exposed to 5 asbestos there?</p> <p>6 A I used Bunsen burners and heat insulating 7 mittens.</p> <p>8 Q While you were doing this part-time work at 9 Columbia, did you have responsibility for ordering 10 either of those materials that you used?</p> <p>11 A No, I did not.</p> <p>12 Q Did you use any other materials in the 13 course of your part-time work there that you believe 14 caused you to be exposed to asbestos?</p> <p>15 A I do not know.</p> <p>16 Q Do you believe that you were exposed to 17 asbestos from the Bunsen burner pads in a fashion 18 similar to that as you told us at the other places you 19 talked about?</p> <p>20 A That's correct.</p> <p>21 Q Anything different about the way you think 22 you were exposed?</p> <p>23 A No.</p> <p>24 Q Was there anything different physically 25 about how the Bunsen burner pads looked as opposed to</p>

Page 78	Page 80
<p>1 Christian Holinka 134</p> <p>2 what you encountered before?</p> <p>3 A No.</p> <p>4 Q While you were doing the part-time work at Columbia University, did you have to on occasion replace the pads?</p> <p>5 A Yes.</p> <p>6 Q How many times did you do that?</p> <p>7 A I want to modify this. They were replaced, I did not replace them myself.</p> <p>8 Q How would the replacement process work there then?</p> <p>9 A I do not know.</p> <p>10 Q Would it be a situation where you would show up one day and it would appear to be a new pad present?</p> <p>11 A Yes.</p> <p>12 Q Do you know where the new pads would come from?</p> <p>13 A I don't.</p> <p>14 Q Did you have to replace any of the heat mittens that was used there at any time?</p> <p>15 A No.</p> <p>16 Q The heat mittens that you used there, how often would you use them?</p>	<p>1 Christian Holinka 136</p> <p>2 A I do not.</p> <p>3 Q Can you tell me any other specific ways that you believe you may have been exposed to asbestos while working part-time at Columbia University?</p> <p>4 A No, I cannot tell you.</p> <p>5 Q In 1974 you got your PhD; is that right?</p> <p>6 A Yes.</p> <p>7 MR. SCHAFER: Off the record for a second. (Discussion held off the record)</p> <p>8 Q In July of 1974 you get your degree from SUNY Stony Brook, your PhD and what happens next in the course of your professional career?</p> <p>9 A I became a post-doctoral fellow at the University of Southern California.</p> <p>10 Q And was this at Berkeley again or --</p> <p>11 A Los Angeles.</p> <p>12 Q And how long were you a post-doctoral fellow?</p> <p>13 A Until 1977.</p> <p>14 Q And what types of things did you do as a post-doctoral fellow there?</p> <p>15 A Biological research and teaching.</p> <p>16 Q What portion or percentage of your time was dedicated to research as opposed to teaching?</p>
<p>1 Christian Holinka 135</p> <p>2 A No more than once every two weeks.</p> <p>3 Q You told us that you averaged about 12 hours a week there during this part-time work?</p> <p>4 A Yes.</p> <p>5 Q Would that be broken over one day or several days or how did that typically fall?</p> <p>6 A Two days.</p> <p>7 Q Two six-hour days on average?</p> <p>8 A Yes.</p> <p>9 Q Perhaps --</p> <p>10 A That makes it 18 hours a week, I worked from midnight to nine in the morning.</p> <p>11 Q So, you worked there three times a week, midnight to nine?</p> <p>12 A Twice a week.</p> <p>13 Q The lab was open continuously?</p> <p>14 A Yes, sure.</p> <p>15 Q Do you know the brand, trade or manufacturer's name of the mittens that you used at Columbia Presbyterian?</p> <p>16 A No, I do not.</p> <p>17 Q Do you know the brand, trade or manufacturer's name of the Bunsen burner pads that were present at Columbia?</p>	<p>1 Christian Holinka 137</p> <p>2 A About 90 percent research, 90 to 95 percent.</p> <p>3 Q When you were doing your research, did you conduct it in one particular area of USC Los Angeles?</p> <p>4 A Yes. At the Gerontology Building.</p> <p>5 Q And where within the Gerontology Building did you do this research?</p> <p>6 A Second floor.</p> <p>7 Q What were the dimensions or the layout of the space you worked out of?</p> <p>8 A Four rooms, variable size ranging from an estimated 400 square feet to 800 square feet, estimated.</p> <p>9 Q And were these rooms comprised of both offices and laboratories?</p> <p>10 A Offices were separate.</p> <p>11 Q So, the four rooms, were they all labs?</p> <p>12 A Yes.</p> <p>13 Q Did you work in all of those rooms?</p> <p>14 A Yes.</p> <p>15 Q Did you have graduate assistants working with you during this time period?</p> <p>16 A Yes, I did.</p> <p>17 Q What were their names of some of these</p>

<p style="text-align: right;">Page 82</p> <p>1 Christian Holinka 138      2 people?      3 A Monty Heckland (phonetic), undergraduate      4 assistant.      5 Q Anybody else?      6 A Not as undergraduate or graduate assistant.      7 Q How about any other people who assisted you      8 in any way?      9 A You usually had to do the research      10 yourself, James Nelson.      11 Q And what was his position or how did he      12 help you?      13 A Graduate student.      14 Q Anybody else?      15 A No.      16 Q During the time that you were working at      17 USC Los Angeles in the Gerontology Building, do you      18 believe you were exposed to asbestos?      19 A Yes.      20 Q In what ways do you believe you were      21 exposed to asbestos there?      22 A Through Bunsen burner pads and heat      23 insulating mittens.      24 Q Were there Bunsen burners present in each      25 of the four rooms that you were conducting your</p>	<p style="text-align: right;">Page 84</p> <p>1 Christian Holinka 140      2 Q Did the Bunsen burner pads that you used      3 there appear similar in their shape and color when      4 compared to the ones you had encountered earlier in      5 your career?      6 A Yes.      7 Q Was there anything physically different      8 about them that you can recall at this time as opposed      9 to the others?      10 A No.      11 Q Do you know the brand, trade or      12 manufacturer's name of those Bunsen burner pads?      13 A No.      14 Q Do you know who specifically supplied those      15 pads that you used as a post-doctoral fellow at the      16 Gerontology Building?      17 A We had standard suppliers, I do not know      18 which individual standard supplier supplied them.      19 Q Did you need to get replacement pads on      20 occasion during those three years you were doing      21 research?      22 A Yes.      23 Q Where would you get them from?      24 A From the laboratory supply cabinet.      25 Q Which would have been located where?</p>
<p style="text-align: right;">Page 83</p> <p>1 Christian Holinka 139      2 research in?      3 A Yes.      4 Q How many were in each room?      5 A An estimated two to five.      6 Q Did the room that you worked out of have      7 any other numerical designation or name that you can      8 recall?      9 A Room numbers I do not recall.      10 Q Not named in honor of somebody or      11 so-and-so's lab or anything like that?      12 A I believe one or two were.      13 Q As you sit here today, do you know who they      14 may have been referring to?      15 A No.      16 Q Were there similar labs on the same floor      17 of that building?      18 A Yes.      19 Q Did you have a responsibility as a      20 post-doctoral fellow for ordering any of the Bunsen      21 burner pads that you used there?      22 A No, I did not.      23 Q Did you have a responsibility for ordering      24 any of the heat mittens that you used there?      25 A No.</p>	<p style="text-align: right;">Page 85</p> <p>1 Christian Holinka 141      2 A At the laboratory in one of the four rooms.      3 Q Did you personally obtain new pads on      4 occasion during the three years that you were doing      5 research?      6 A Yes, I did.      7 Q And you would go to the storage area and      8 take them yourself?      9 A Yes.      10 Q When you would take them out, did they come      11 in any sort of packaging?      12 A No.      13 Q They were loose?      14 A Not to my recollection, no.      15 Q Your recollection is they were loose?      16 A Yes.      17 Q Stacked on top of each other or lined up      18 side by side?      19 A I believe stacked on top of each other.      20 Q Did you ever see any paperwork indicating      21 who specifically supplied those pads that you used      22 there?      23 A I did not.      24 Q Do you recall a replacement stock of these      25 pads coming in and being placed in that storage area?</p>

Page 86			Page 88		
1	Christian Holinka	142	1	Christian Holinka	144
2	A	Not specifically, no.	2	A	Yes.
3	Q	Did you ever encounter a situation there	3	Q	When was the last time you were in touch
4	where you had run out of pads and had to arrange to		4	with Mr. Heckland?	
5	have more pads brought over?		5	A	About three months ago, four months ago.
6	A	No.	6	Q	Is Mr. Heckland aware of your current
7	Q	Did you use one set of mittens during the	7	physical situation?	
8	three years there or more than one set?		8	A	Yes.
9	A	Set, you mean --	9	Q	Did you have any discussions with
10	Q	Pair.	10	Mr. Heckland about the types of products that you used	
11	A	-- individual --	11	together while you were at USC Los Angeles?	
12	Q	Pair I guess is the best way to put it.	12	A	No.
13	A	Many more than one. May I add something?	13	Q	Did you have any discussion with respect to
14	Q	Yes, absolutely.	14	any products that may have contained asbestos?	
15	A	To an extended response to your question	15	A	No.
16	about collaborators.		16	Q	Where does he currently live?
17	Q	Yes.	17	A	In Baltimore.
18	A	The chief technician helped the laboratory.	18	Q	When was the last time you spoke to
19	Q	Who was that?	19	Mr. Nelson?	
20	A	Heinz; H-E-I-N-Z, Osterburg;	20	A	An estimated three years ago.
21	O-S-T-E-R-B-U-R-G.		21	Q	Did you ever have any discussions with
22	Q	Did Mr. Osterburg have the responsibility	22	Mr. Nelson about any asbestos-containing components	
23	for ordering any replacement supplies?		23	that were in any of the labs where you were?	
24	A	Yes.	24	A	No.
25	Q	Did you ever have a conversation with	25	Q	And Mr. Osterburg, is he still alive?
Page 87			Page 89		
1	Christian Holinka	143	1	Christian Holinka	145
2	Mr. Osterburg	advising that the lab or labs needed	2	A	Yes.
3	more pads or mittens?		3	Q	Where is he currently?
4	A	No.	4	A	In Los Angeles.
5	Q	If you needed a replacement pair of	5	Q	When was the last time you spoke with him?
6	mittens, would you get them from the same supply area		6	MR. DARCHE:	Three years ago.
7	located in one of those labs?		7	A	About half a year ago.
8	A	Yes.	8	MR. SCHAFFER:	We talked about Mr. Nelson
9	Q	Do you recall how the replacement mittens	9	before.	
10	were stored in this area?		10	MR. DARCHE:	Sorry about that.
11	A	No.	11	MR. SCHAFFER:	We are talking about
12	Q	Was there anything different about the	12	Osterburg.	
13	physical appearance of these mittens as opposed to		13	MR. DARCHE:	Sorry about that.
14	mittens that you had encountered earlier in your		14	Q	Is Mr. Osterburg aware of your physical
15	career?		15	condition?	
16	A	No.	16	A	Yes, I told him.
17	Q	Can you tell me any other specific type of	17	Q	Did you and he have any discussions whether
18	materials that you believe contained asbestos that you		18	there were any materials or products in the labs that	
19	handled there?		19	may have exposed you to asbestos?	
20	A	No, I cannot tell you.	20	A	We did not talk about it.
21	MR. DARCHE:	Just one second.	21	Q	Is there anyone that you have talked about
22	(Discussion held off the record)		22	with respect to your time at USC LA?	
23	Q	Did Mr. Heckland and Mr. Nelson and	23	A	USC, please.
24	Mr. Osterburg also use these types of materials in the		24	Q	I'm sorry, forgive me.
25	course of supporting you in your research?		25	A	Two different universities.

<p style="text-align: right;">Page 90</p> <p>1 Christian Holinka 146      2 Q My apologies.      3 Have you ever discussed the brand, trade or      4 manufacturer's names of any of the materials that you      5 believe contained asbestos that you encountered at USC      6 besides with representatives from your law firm?      7 A No.      8 MR. DARCHE: Off the record.      9 (Discussion held off the record)      10 Q Sir, I forgot to ask you, where does      11 Mr. Nelson currently live?      12 A San Antonio, Texas.      13 Q Separate and apart from your research that      14 you did at USC, do you believe that you were exposed      15 to asbestos when you were doing the teaching aspect of      16 your post-doctoral fellow work out there?      17 A I do not know but I do not think so.      18 Q And did that work result in any additional      19 degrees of any type as a post-doctoral fellow?      20 A No.      21 Q When in 1977 did you leave USC LA?      22 A In July.      23 MR. DARCHE: How are you feeling?      24 THE WITNESS: Okay.      25 MR. SCHAFFER: Let's go off the record a</p>	<p style="text-align: right;">Page 92</p> <p>1 Christian Holinka 148      2 A Regarding the diameter of the asbestos      3 inset to the Bunsen burner covers, the diameter      4 probably was closer to 8 inches. I said 3 or 4, I      5 believe, I thought in the metric system and it was      6 closer to 8 inches.      7 Q And let me then ask you this: If the      8 diameter of the pad was 8 inches, what was the length      9 across of the meshing itself when you counted all the      10 meshing?      11 A An estimated 1 more inch on each side, so      12 it would be about 10 inches.      13 Q And were those mesh pieces typically square      14 or rectangular?      15 A Typically square.      16 Q After the lunch break looking back, is      17 there anything else that you need to amplify or      18 correct from this morning's testimony?      19 A No, there isn't.      20 Q Why did you leave the fellow position at      21 USC?      22 A I had a job offer at Mount Sinai School of      23 Medicine in New York City.      24 Q How did you come to get that offer?      25 A At a scientific meeting.</p>
<p style="text-align: right;">Page 91</p> <p>1 Christian Holinka 147      2 second.      3 (Discussion held off the record)      4 (Whereupon, at 12:20 P.M., a lunch recess      5 was taken)      6 (Back on the record at 1:25 P.M.)      7 Q Sir, we are back on the record and I just      8 want to go back over one or two things before we move      9 forward to your time at Mount Sinai if I may.      10 A Yes.      11 Q And I am not sure if I have asked you this      12 question before or if my colleague did or did not, so      13 if I did I apologize.      14 With respect to the mittens that you used      15 when you were at the lab at USC Los Angeles, do you      16 know who specifically manufactured them?      17 A No, I do not.      18 Q Do you know who specifically supplied those      19 mittens that you used at that location?      20 A No, I do not.      21 Q Let's move forward, your next job was      22 where?      23 A May I make a small addition to a previous      24 statement?      25 Q Yes.</p>	<p style="text-align: right;">Page 93</p> <p>1 Christian Holinka 149      2 Q And when did you start at Mount Sinai?      3 A August 1977.      4 Q And how long did you work there?      5 A Until July 1989.      6 Q And what was your position there?      7 A Initially an instructor and then assistant      8 professor in obstetrics, gynecology and reproductive      9 science.      10 Q How long would you have been an instructor      11 first there at Mount Sinai approximately?      12 A Approximately two to three years.      13 Q And the balance of the time that you were      14 there approximately nine or ten years was as an      15 assistant professor?      16 A Yes.      17 Q As an instructor there what were your hours      18 typically, if there was such a thing?      19 A Forty to sixty hours.      20 Q And would you teach classes both day and      21 night as needed?      22 A I did not regularly teach classes at Sinai      23 except one or two years a part of a course in      24 reproductive biology to medical students.      25 Q I'm sorry, I misinterpreted what you meant</p>

Page 94	Page 96
<p>1 Christian Holinka 150      2 by instructor then. Can you tell me what your duties      3 were as an instructor?      4 A Research, the principal duties were      5 research.      6 Q When did you conduct the research as an      7 instructor there?      8 A During the period 1977 to '89.      9 Q When you were an instructor, yes.      10 A When I was an instructor and thereafter      11 when I was an assistant professor.      12 Q Where physically within the premises of      13 Mount Sinai did you do the research work as an      14 instructor?      15 A The Annenberg Building, 20th floor.      16 Q And was there a separate portion of the      17 floor such as a lab or other area within the 20th      18 floor that you worked at?      19 A Yes. There were several laboratories on      20 the floor.      21 Q Did you work in one of them or all of them?      22 A Principally in two different rooms.      23 Q And did these rooms have any numerical or      24 other designation?      25 A Yes.</p>	<p>1 Christian Holinka 152      2 A Yes.      3 Q Over the two or three years, can you      4 estimate how many times you would have replaced the      5 pads?      6 A About once every two months.      7 Q You said that there were two rooms, did      8 both of these rooms have Bunsen burners?      9 A Yes.      10 Q Can you tell me how many were in each room?      11 A Correction, three rooms.      12 Q Fair enough.      13 A When we did histology work I used a      14 different room.      15 The answer to your question, between two      16 and five.      17 Q Were there more Bunsen burners in the      18 histology room or not, if you know?      19 A About the same.      20 Q Now, was there anything different about the      21 physical appearance of these Bunsen burner pads that      22 you used there as opposed to those that you had      23 encountered prior in your career?      24 A No.      25 Q Did these pads have any words or logos or</p>
<p>1 Christian Holinka 151      2 Q What were they called, if you remember?      3 A I don't remember.      4 Q And did you work in both of these rooms      5 during the time that you held the position of      6 instructor?      7 A Yes.      8 Q Do you believe that you were exposed to      9 asbestos at Mount Sinai in the course of your work as      10 an instructor those first two or three years?      11 A Yes.      12 Q And how during that time period do you      13 believe you were exposed to asbestos?      14 A By asbestos pads, Bunsen burner pads and      15 mittens.      16 Q Did you work yourself with the pads as an      17 instructor?      18 A Yes.      19 Q And what would you do with them?      20 A Well, you use them all the time for heating      21 the agents, heating water, heating media. It was the      22 only heat source at the laboratory.      23 Q Did you have on occasion the need to      24 replace the pads that you were using when you were an      25 instructor?</p>	<p>1 Christian Holinka 153      2 printing or anything on them that would identify their      3 manufacturer?      4 A They did not.      5 Q Or their supplier.      6 A They did not.      7 Q As an instructor did you have the      8 responsibility for ordering any pads that were used at      9 Mount Sinai?      10 A No.      11 Q If you needed to pick up a replacement pad      12 at Mount Sinai, where would you go?      13 A There was a central room for supplies for      14 the laboratory.      15 Q Was that also located on the 20th floor?      16 A Yes. It was really a large set of cabinets      17 in one of the laboratories.      18 Q Was it located in one of the three rooms      19 that you were in as an instructor?      20 A In one, yes.      21 Q If I asked you which one could you tell me?      22 A I believe a storage unit.      23 Q Do you know which particular room it was in      24 or you believe it was in one of them?      25 A I think it was in one.</p>

Page 98	Page 100
<p>1 Christian Holinka 154</p> <p>2 Q When you would go to this storage area, did 3 you see how the pads were kept in it?</p> <p>4 A I saw it but I don't remember whether they 5 were stacked or next to each other.</p> <p>6 Q And do you recall if there was any 7 packaging associated with any of these new pads that 8 you would take?</p> <p>9 A I don't remember.</p> <p>10 Q Do you know the brand, trade or 11 manufacturer's name of any of those pads?</p> <p>12 A I do not know a specific brand.</p> <p>13 Q Do you know who supplied those pads to 14 Mount Sinai during those years that you were an 15 instructor?</p> <p>16 A Well, we had basically four suppliers, 17 Fisher Scientific, Van Waters and Rogers, American 18 Scientific, Senco. They were big catalogs, they 19 looked like a book with in the back their names. And 20 there were other companies also that I don't recall 21 who supplied highly specific parts, supplies but those 22 were the main companies and we may even have had a 23 standing account with one, two or three of them.</p> <p>24 Q When you say "we," are you talking about 25 Mount Sinai itself or your particular department where</p>	<p>1 Christian Holinka 156</p> <p>2 A Once a day, whenever there was something 3 hot to touch, once a day, once every two days, twice a 4 day.</p> <p>5 Q Did the physical appearance of these 6 mittens to you seem the same as those as you had 7 encountered earlier in your career?</p> <p>8 A Yes.</p> <p>9 Q Was there anything different about what 10 those mittens looked like as compared to the earlier 11 ones?</p> <p>12 A Not to my recollection, no.</p> <p>13 Q Besides those mittens did you use any other 14 types of gloves or mittens during your time as an 15 instructor?</p> <p>16 A No.</p> <p>17 Q Do you know the brand, trade or 18 manufacturer's name of any of those mittens that you 19 used while you were an instructor?</p> <p>20 A No.</p> <p>21 Q Do you know specifically who supplied any 22 of those mittens that you used as an instructor?</p> <p>23 A Specific suppliers I don't know.</p> <p>24 Q And you have mentioned four companies that 25 you believe generally provided supplies --</p>
<p>1 Christian Holinka 155</p> <p>2 you worked?</p> <p>3 A In my department, my laboratory.</p> <p>4 Q If there was such a standing type of 5 relationship within your department, who within your 6 department would have been the contact to deal with 7 with respect to that?</p> <p>8 A The main person, Dr. Gurpide.</p> <p>9 Q Doctor who?</p> <p>10 A Erlio; E-R-L-I-O, G-U-R-P-I-D-E.</p> <p>11 Q And is Dr. Gurpide still alive?</p> <p>12 A Yes.</p> <p>13 Q Is he still at Mount Sinai?</p> <p>14 A No.</p> <p>15 Q Do you know where he lives?</p> <p>16 A I don't. He's in a retirement home 17 somewhere in the midwest.</p> <p>18 Q When would have been the last time you had 19 occasion to have any contact with him?</p> <p>20 A About ten years ago, eight years ago 21 probably.</p> <p>22 Q How often would you use the mittens as an 23 instructor at Mount Sinai?</p> <p>24 A Regularly.</p> <p>25 Q Can you define that?</p>	<p>1 Christian Holinka 157</p> <p>2 A Yes.</p> <p>3 Q -- when you were in that position.</p> <p>4 A Yes.</p> <p>5 Q Can you tell me any other ways that you 6 specifically believe that you were exposed to asbestos 7 while you were working as an instructor in these three 8 rooms in the Annenberg Building?</p> <p>9 A No, I cannot.</p> <p>10 Q Did you have a supervisor or some sort of a 11 boss that you had to report to for those two or three 12 years?</p> <p>13 A Dr. Gurpide.</p> <p>14 Q Did you typically work alone or with other 15 people?</p> <p>16 A I had a technician for most of the period.</p> <p>17 Q And what was the technician's name?</p> <p>18 A Mila de la Pena; MILA, D-E, L-A, and 19 capital P-E-N-A.</p> <p>20 Q And is that assistant still alive?</p> <p>21 A Yes.</p> <p>22 Q And do you know -- is it he or she?</p> <p>23 A She.</p> <p>24 Q Do you know where she currently lives?</p> <p>25 A Somewhere on Long Island, I don't know the</p>
	26 (Pages 98 to 101)

<p style="text-align: right;">Page 102</p> <p>1 Christian Holinka 158      2 town.      3 Q Do you know if she is still affiliated with      4 Sinai?      5 A No, she's not.      6 Q Do you know who she works for?      7 A She works for her own company not related      8 to clinical research or not related to laboratories.      9 Q She has her own business?      10 A Yes.      11 Q You told us that after two or three years      12 your position changed and you became an assistant      13 professor; is that right?      14 A Yes.      15 Q And that was the position you held the      16 balance of your time at Mount Sinai?      17 A Yes.      18 Q During your career there as an assistant      19 professor, do you believe that you were exposed to      20 asbestos?      21 A Yes.      22 Q And in what ways do you believe you were      23 exposed to asbestos during that nine to ten year      24 period?      25 A Via pads, Bunsen burner pads and heat</p>	<p style="text-align: right;">Page 104</p> <p>1 Christian Holinka 160      2 Q She stayed with you the entire time?      3 A Almost the entire time for about nine      4 years, something like that.      5 Q And did Dr. Gurpide maintain the position      6 of your supervisor the entire time you were there?      7 A Yes, he did.      8 Q And just so the record is clear, do you      9 know the brand, trade or manufacturer's name of any of      10 the pads that you would have used during this time      11 period?      12 A No, I do not.      13 Q Do you know the brand, trade or      14 manufacturer's name of any of the gloves that you used      15 during this time period?      16 A No, I don't.      17 Q Do you specifically know which of the      18 companies supplied either of those products to your      19 lab when you were working there in that position?      20 A Specifically I don't but we had standard      21 suppliers.      22 Q And you mentioned when you were --      23 MR. SCHAFER: Withdrawn.      24 Q When you were doing the assistant professor      25 position, was that located within the same premises on</p>
<p style="text-align: right;">Page 103</p> <p>1 Christian Holinka 159      2 insulating mittens.      3 Q As an assistant professor did you typically      4 hold classes in one location or in a variety of      5 locations on the campus?      6 A I gave guest lectures on the campus but not      7 full classes, not full courses.      8 Q As an assistant professor were your duties      9 different than those of an instructor that you had      10 told us about?      11 A No, they were not.      12 Q Basically a change in pay or a change in      13 grade; is that right?      14 A Yes, that's correct.      15 Q Did your use of the pads increase, decrease      16 or stay approximately the same during the time period      17 that you were an assistant professor?      18 A Stayed approximately the same.      19 Q Did your use of the mittens decrease,      20 increase or stay about the same?      21 A Stayed about the same.      22 Q Did you have any additional technicians      23 that assisted you over these nine years besides the      24 woman you mentioned before?      25 A No.</p>	<p style="text-align: right;">Page 105</p> <p>1 Christian Holinka 161      2 the 20th floor of the Annenberg Building?      3 A It was.      4 Q Did you ever work anywhere else at Mount      5 Sinai during the entire time that you were there      6 outside of teaching courses in the halls?      7 A No, I did not.      8 Q And when you were teaching the courses in      9 the halls, do you have any reason to believe you were      10 exposed to asbestos during that --      11 A No, I do not have any reason.      12 Q So, it was physically in Mount Sinai where      13 you are alleging asbestos exposure on the 20th floor      14 of the Annenberg Building.      15 A Yes.      16 Q When was the last time you were up there?      17 A About two years ago.      18 Q Did you have an opportunity to view a      19 portion of the floor where you used to work?      20 A Yes, I did.      21 Q And in terms of its physical layout      22 currently, is it the same, different or something      23 else?      24 A It has slightly changed.      25 Q Did you get a chance to see the layout of</p>

Page 106	Page 108
<p>1 Christian Holinka 162</p> <p>2 the rooms that you specifically worked in where you</p> <p>3 say the Bunsen burners were?</p> <p>4 A Well, one room they may have converted into</p> <p>5 offices, I believe, and one other laboratory I saw</p> <p>6 still was used as a laboratory.</p> <p>7 Q During the time that you worked there as</p> <p>8 the assistant professor, did the physical layout of</p> <p>9 the Bunsen burners change in any way?</p> <p>10 A No.</p> <p>11 Q Were any added or removed during that time</p> <p>12 period?</p> <p>13 A To the best of my knowledge, no.</p> <p>14 Q And what did you use the mittens for there?</p> <p>15 A To handle hot glassware.</p> <p>16 Q Associated with the burners?</p> <p>17 A Associated with the burners and associated</p> <p>18 with hot glassware from drying ovens.</p> <p>19 Q Are there any other ways that you believe</p> <p>20 that you were exposed to asbestos from working at</p> <p>21 Mount Sinai as an assistant professor in this lab</p> <p>22 besides those we have talked about?</p> <p>23 A Not to my knowledge, no.</p> <p>24 Q During the time that you worked there, were</p> <p>25 you aware of any program of asbestos abatement or</p>	<p>1 Christian Holinka 164</p> <p>2 A It does, yes. They know it better than I.</p> <p>3 Q Well, that's fair enough. Let me ask you</p> <p>4 with respect to any of the time that you were at</p> <p>5 Fordham, all of those jobs would have been of an</p> <p>6 academic teaching nature?</p> <p>7 A That's correct.</p> <p>8 Q And not any lab work?</p> <p>9 A No.</p> <p>10 Q And do you allege any asbestos exposure</p> <p>11 during the time you were working at Fordham?</p> <p>12 A Not to my knowledge.</p> <p>13 Q Was this the campus that was up in the</p> <p>14 Bronx?</p> <p>15 A No. It was the Lincoln Center Building.</p> <p>16 Q And you said you were also at NYU --</p> <p>17 A Yes.</p> <p>18 Q -- for a period of time teaching classes?</p> <p>19 A Yes.</p> <p>20 Q The records we have indicate that you may</p> <p>21 have been there in 1979 and 1980 and then again in</p> <p>22 1987; does that sound about right?</p> <p>23 A That sounds about correct, yes.</p> <p>24 Q With respect to all of those employments,</p> <p>25 were they all of an academic teaching nature?</p>
Page 107	Page 109
<p>1 Christian Holinka 163</p> <p>2 removal of any products from the 20th floor?</p> <p>3 A No, I was not.</p> <p>4 Q Or within the Annenberg Building itself.</p> <p>5 A No, I was not.</p> <p>6 Q Did the physical appearance of the pads</p> <p>7 from the last time you used them seem substantially</p> <p>8 similar to that when you first encountered them years</p> <p>9 ago?</p> <p>10 A They were substantially similar.</p> <p>11 Q Were there any physical differences that</p> <p>12 you could note from the last time that you used them</p> <p>13 at Mount Sinai from the first time that you used them?</p> <p>14 A No.</p> <p>15 Q Why did you leave Mount Sinai?</p> <p>16 A May I make an additional remark during that</p> <p>17 period?</p> <p>18 Q Yes, sir.</p> <p>19 A If it's relevant. I had for two years an</p> <p>20 adjunct professorship at NYU entirely teaching and for</p> <p>21 one year at Fordham University entirely teaching.</p> <p>22 Q We have some records of your Social</p> <p>23 Security printout and they indicate that you were at</p> <p>24 Fordham apparently in 1978, 1979 and 1981; does that</p> <p>25 sound about right?</p>	<p>1 Christian Holinka 165</p> <p>2 A That's correct, yes.</p> <p>3 Q Do you believe that you were exposed to</p> <p>4 asbestos in any way during any of your employments</p> <p>5 with New York University?</p> <p>6 A Not to my knowledge.</p> <p>7 Q As long as we have this, let me just go</p> <p>8 back a second and go over some other employers if I</p> <p>9 may. Do you remember working for a place called The</p> <p>10 Continental House back in the 1950's? A real brief</p> <p>11 employment.</p> <p>12 A The Continental House, that was the</p> <p>13 Commodore Hotel.</p> <p>14 Q That is at least what you associate it</p> <p>15 with.</p> <p>16 A Yes.</p> <p>17 Q Do you remember working for someone called</p> <p>18 Charles Shaw in about 1959?</p> <p>19 A No, I don't.</p> <p>20 Q We have an address of Indianapolis,</p> <p>21 Indiana.</p> <p>22 A That's the year I got out of the Army, I</p> <p>23 worked at Booth Memorial.</p> <p>24 Q It does not ring any bells?</p> <p>25 A No.</p>

Page 110	Page 112
<p>1 Christian Holinka 166</p> <p>2 Q Did you ever work for the Board of 3 Education for the City of New York in the late 1970's?</p> <p>4 A No.</p> <p>5 Q Or you do not remember it at least if you 6 did.</p> <p>7 A I would remember if I did.</p> <p>8 Q Why did you leave Mount Sinai?</p> <p>9 A It was increasingly more difficult to 10 obtain grant support at the time and on the basis of 11 my numerous publications in reproductive medicines, I 12 applied to the pharmaceutical industry.</p> <p>13 Q When did you start publishing articles with 14 respect to reproductive literature?</p> <p>15 A Well, in the broader sense reproductive 16 biology, my first publication at Berkeley, I think it 17 appeared in 1969.</p> <p>18 Q And what did it appear in?</p> <p>19 A Endocrinology. It's a professional 20 journal.</p> <p>21 Q Let's take the time period from that up 22 until when you left Mount Sinai, approximately how 23 many articles did you publish or have published?</p> <p>24 A Well, original research, probably '55.</p> <p>25 Q Were they all generally associated with</p>	<p>1 Christian Holinka 168</p> <p>2 A And that was in Climacteric, which is an 3 international journal for post-menopausal medicine.</p> <p>4 Q Have you ever written any articles with 5 respect to the subject of asbestos or any asbestos 6 related illnesses or diseases?</p> <p>7 A No.</p> <p>8 Q When you were at Mount Sinai, were you 9 aware of any physicians there who had a specialty in 10 pneumonconioses or other breathing related illnesses?</p> <p>11 A I was not.</p> <p>12 Q Since your time at Mount Sinai, have you 13 become aware of any physicians there who do have such 14 specialties?</p> <p>15 A Well, now I know or a few years ago 16 Dr. Selikoff, who is a major name or was a major name 17 in the field, but there was no interaction.</p> <p>18 Q Was he there when you were there?</p> <p>19 A I believe he was. I don't know when he 20 retired.</p> <p>21 Q In any event your work there had nothing to 22 do with whatever work he was doing?</p> <p>23 A None.</p> <p>24 Q Or any work that was being done by his 25 assistants or adjunct or support staff.</p>
<p>1 Christian Holinka 167</p> <p>2 reproductive biology?</p> <p>3 A They were all associated with reproductive 4 biology ranging from hormone metabolism to 5 physiological changes in animals.</p> <p>6 Q What types of journals or publications did 7 these articles show up in?</p> <p>8 A Professional journals, the Journal of 9 Steroid Biochemistry and Molecular Biology, Biology of 10 Reproduction. There was one or two more I don't 11 remember at the moment.</p> <p>12 Q Since your time at Mount Sinai, have you 13 continued to publish original works?</p> <p>14 A (No verbal response given)</p> <p>15 Q If you do not understand the question, I 16 can try to rephrase it.</p> <p>17 A I understand the question but I do not have 18 a ready answer. The answer is basically yes.</p> <p>19 Q Would those be articles that would be 20 appearing in the same types of journals that you 21 mentioned?</p> <p>22 A They were more medically related articles 23 or the latest publication came out two, three months 24 ago.</p> <p>25 Q What was that in?</p>	<p>1 Christian Holinka 169</p> <p>2 A No.</p> <p>3 Q Who was your next employer after you left 4 Mount Sinai then?</p> <p>5 A Organon, Inc.</p> <p>6 Q O-R-G-A-N-O-N?</p> <p>7 A Yes.</p> <p>8 Q And how long did you work for Organon?</p> <p>9 A 1989 to 1992.</p> <p>10 Q What did you do for them?</p> <p>11 A I started as a director in reproductive 12 medicine, hormonal replacement therapy and then was 13 the head of reproductive medicine research.</p> <p>14 Q And this was, is it fair to say, 15 pharmaceutical company that developed medications for 16 those types of things?</p> <p>17 A Yes.</p> <p>18 Q Do you have any reason to believe that you 19 were exposed to asbestos during the time that you 20 worked with Organon?</p> <p>21 A No, I do not.</p> <p>22 Q You did not do any lab work at all of any 23 nature?</p> <p>24 A No.</p> <p>25 Q What was your next employer after Organon?</p>

Page 114	Page 116
<p>1 Christian Holinka 170</p> <p>2 A Johnson and Johnson, Robert Wood Johnson</p> <p>3 Pharmaceutical Research Institute.</p> <p>4 Q I'm sorry, backing up to Organon, where did</p> <p>5 you work out of for them?</p> <p>6 A West Orange, New Jersey.</p> <p>7 Q When you worked for Johnson and Johnson,</p> <p>8 where was that?</p> <p>9 A Raritan, New Jersey.</p> <p>10 Q How long did you work for Johnson and</p> <p>11 Johnson?</p> <p>12 A 1992 to '96.</p> <p>13 Q What positions did you hold there for them?</p> <p>14 A Assistant director in Endocrinology and</p> <p>15 metabolism.</p> <p>16 Q And that was the only position?</p> <p>17 A That was the only position.</p> <p>18 Q Do you have any reason to believe that you</p> <p>19 were exposed to asbestos during the time that you</p> <p>20 worked at Johnson and Johnson?</p> <p>21 A No, I have no reason to believe that.</p> <p>22 Q What was your next employer?</p> <p>23 A Kyowa Hakko Kogio.</p> <p>24 Q I have K-Y-O-W-A, right?</p> <p>25 A Yes.</p>	<p>1 Christian Holinka 172</p> <p>2 Johnson and Kyowa, did you receive additional</p> <p>3 compensation for either products you helped develop or</p> <p>4 any other additional incomes besides the salary that</p> <p>5 you would have been earning from these companies?</p> <p>6 A No, I did not.</p> <p>7 Q Did you have any self-employment outside of</p> <p>8 the work that you were doing for these companies?</p> <p>9 A No, I did not.</p> <p>10 Q Your Social Security records indicate</p> <p>11 self-employment in 1992 and 1996.</p> <p>12 A Oh, yeah. May have been -- 1996, that's</p> <p>13 right. Okay, '92, at one point I started out of my</p> <p>14 apartment a small music book journal enterprise which</p> <p>15 was a loss, so I don't consider it as any kind of</p> <p>16 lucrative employment. This is what they may refer to.</p> <p>17 Q We have an indication that you earned</p> <p>18 through self-employment in 1992 almost \$70,000, could</p> <p>19 that be --</p> <p>20 A No, that's, that's --</p> <p>21 Q -- accurate?</p> <p>22 A That's not correct, no. And that was in</p> <p>23 1992.</p> <p>24 Q Yes, sir.</p> <p>25 A No.</p>
Page 115	Page 117
<p>1 Christian Holinka 171</p> <p>2 Q Do you have any idea how to spell --</p> <p>3 A The rest? I should know. H-A-K-K-O and</p> <p>4 new word Kogio; K-O-G-I-O.</p> <p>5 Q That's close enough if that's not right.</p> <p>6 How long did you work for Kyowa?</p> <p>7 A Nine months.</p> <p>8 Q What did you do for them?</p> <p>9 A Clinical research.</p> <p>10 Q Did you hold a position?</p> <p>11 A Director of pharmaceutical development.</p> <p>12 Q Do you believe that you were exposed to</p> <p>13 asbestos as there?</p> <p>14 A No, I don't.</p> <p>15 Q During the time that you were employed</p> <p>16 by --</p> <p>17 A I should say I don't believe so. I don't</p> <p>18 know whether I was but I don't think so.</p> <p>19 Q Nothing as you sit here today comes to you</p> <p>20 and says maybe I was exposed through this?</p> <p>21 A In this case?</p> <p>22 Q Yes, in this case right here.</p> <p>23 A I do not believe so, no.</p> <p>24 Q Now, during the time that you worked for</p> <p>25 these last few outfits, Organon and Johnson and</p>	<p>1 Christian Holinka 173</p> <p>2 Q In 1996 after -- well, why did you leave</p> <p>3 Kyowa?</p> <p>4 A No, in 1992, that is the end period at</p> <p>5 Organon and I -- wait a minute. It could be correct</p> <p>6 because my negotiations with Johnson and Johnson took</p> <p>7 a few months and head of Organon asked me to stay on</p> <p>8 as a consultant.</p> <p>9 Q I see.</p> <p>10 A So, I stand corrected, it could be correct,</p> <p>11 yes.</p> <p>12 Q So, though it would be technically, perhaps</p> <p>13 in terms of the IRS, self-employment it was consulting</p> <p>14 work for Organon in 1992?</p> <p>15 A Yes. After I had formerly resigned.</p> <p>16 Q And why did you leave Kyowa?</p> <p>17 A Johnson and Johnson phoned me whether I</p> <p>18 would want to do full-time consulting for them, both</p> <p>19 at Raritan and in Europe in their international</p> <p>20 division in Switzerland.</p> <p>21 Q Did that seem like an opportunity you</p> <p>22 wanted to take?</p> <p>23 A Yes.</p> <p>24 Q And did you take it?</p> <p>25 A I took that. And also this was my field,</p>

Page 118	Page 120
<p>1 Christian Holinka 174      2 this is where my authority lay, my knowledge and so      3 forth.      4 Q And have you engaged in this consulting      5 arrangement with Johnson and Johnson since 1996?      6 A No.      7 Q How long were you a consultant for Johnson      8 and Johnson?      9 A I had a number of other clients. This is      10 going to be difficult to answer because I worked by      11 project. The full-time period lasted about two years.      12 Q When you were exclusively or primarily      13 supporting Johnson and Johnson?      14 A At that time, yes. Unless you find      15 something else there, those smaller time periods are      16 sometimes difficult to recall.      17 Q And since that two year or so period, have      18 you done consulting work for a variety of different      19 clients?      20 A Yes.      21 Q Let's say in 2005 can you give me an idea      22 of who the clients were that you primarily consulted      23 for?      24 A For that specific year I could not but for      25 the overall period that I was working independent, I</p>	<p>1 Christian Holinka 176      2 MR. SCHAFER: I am entitled to probe his      3 memory about this because I have a series of      4 questions that follow in relation to it.      5 MR. DARCHE: If he knows he knows but if he      6 doesn't he doesn't.      7 Q This is one of those times, sir, a best      8 estimate is okay as opposed to down to the penny.      9 What is your best estimate?      10 A My best estimate is around \$180,000.      11 Q In 2006 do you know how much you earned?      12 A Best estimate about \$100,000.      13 Q Are you still consulting today?      14 A Yes.      15 Q Did you file your 2006 tax return yet?      16 A No.      17 Q Besides the consulting work that you do for      18 these various companies, do you have any other sources      19 of income?      20 A I'm getting Social Security and a pension      21 from J and J, Johnson and Johnson.      22 Q How much is the pension?      23 A \$511 monthly.      24 Q And is the Social Security you receive      25 standard as opposed to disability?</p>
<p>1 Christian Holinka 175      2 have been a consultant for Organon after this period      3 immediately following my employment. I have been      4 consulting and still am consulting for Wyeth      5 Pharmaceuticals. I have been and still am      6 consulting for Pantarhei, I will spell that;      7 P-A-N-T-A-R-H-E-I, Bioscience. It's a Dutch company.      8 I have been consulting for Serrol. I have a feeling      9 I'm missing something.      10 Q This would be one of those times if it      11 comes to you, would you tell us later?      12 A Yes. I have been consulting for Ortho also      13 but that's Johnson and Johnson.      14 Q On any of those consulting jobs that you      15 have been on since 1996, do you have any reason to      16 believe you were exposed to asbestos?      17 A I have no reason to believe so.      18 Q In 2005 do you have an understanding as to      19 approximately how much money you earned through the      20 consulting business?      21 A In 2005 I would guess about --      22 MR. DARCHE: Don't guess.      23 A I would estimate about --      24 MR. DARCHE: Objection. We are turning      25 over all the lost wages, so --</p>	<p>1 Christian Holinka 177      2 A Standard.      3 Q And how much do you receive through that?      4 A About \$1,200 a month. And then I have a      5 pension from Mount Sinai of \$71 a month.      6 Q Do you doing this consulting work have your      7 own business or business entity that you refer to      8 yourself as?      9 A I have a name, Farm Consult, for my firm.      10 I do not have any employees.      11 Q Is that incorporated?      12 A No.      13 Q Is it any sort of a formal business      14 association or is it more like doing business as?      15 A I registered it in, I don't know, either      16 the City or the County of New York. I believe the      17 County of New York.      18 Q When did you register it?      19 A In 1996 or '97.      20 Q And is the operating address that you used      21 on the registration where you live?      22 A I believe so, I'm not sure.      23 Q Has it ever had any physical offices or      24 space separate from where you live besides perhaps a      25 mail drop somewhere?</p>

<p style="text-align: right;">Page 122</p> <p>1 Christian Holinka 178      2 A Well, I used to work most of the time at my      3 condo, a small condo on 7th Avenue but now at my      4 apartment.      5 Q And my colleague asked you some questions      6 about where you currently live, do you own the      7 premises where you currently live?      8 A No.      9 Q Do you own any real estate currently?      10 A I own the apartment, the condo on 147th      11 Avenue.      12 Q Is there a mortgage outstanding on that?      13 A No.      14 Q Do you currently have a tenant there or      15 rent it out?      16 A No.      17 Q And what do you use that space for, if      18 anything?      19 A A friend is living in there.      20 Q Are there any other jobs that you have held      21 in your life that we have not talked about today that      22 you can recall?      23 A No, there are not.      24 Q Are there any other ways that you believe      25 you were exposed to asbestos besides those we have</p>	<p style="text-align: right;">Page 124</p> <p>1 Christian Holinka 180      2 A Currently not but I did regularly subscribe      3 to a whole number of them.      4 Q Can you give me an idea about what journals      5 you regularly subscribed to?      6 A Basic and Clinical Aspects of Reproductive      7 Medicine.      8 Q Any others?      9 A No.      10 Q That's it?      11 A That's it.      12 Q How long did you maintain that      13 subscription?      14 A Over the years, 20 years, 30 years.      15 Q And was --      16 A But may I add something?      17 Q Yes.      18 A I had access to those journals through the      19 laboratories, through libraries, through my companies      20 that I consulted for, so I read those journals      21 regularly.      22 Q What journals?      23 A Menopause, Climacteric Journal of      24 Reproductive Medicine, Fertility Sterility, other      25 journals in that area, endocrinologic, gynecologic,</p>
<p style="text-align: right;">Page 123</p> <p>1 Christian Holinka 179      2 already discussed today?      3 A No, there are not.      4 Q Have you told us the names of all of the      5 companies that you believe may have some involvement      6 with respect to the products that you believe caused      7 you asbestos exposure?      8 A To my knowledge, yes, I have told you.      9 Q Do you have any product catalogs from any      10 of the years that you were working either at Sinai or      11 any of the other places where you were going to      12 school?      13 A Do I currently have those?      14 Q Yes.      15 A No, I don't.      16 Q Do you know anybody who has any of these      17 catalogs besides and excluding any that might be in      18 your attorney's possession?      19 A No, I don't.      20 Q When you were taking classes in the various      21 educations that you have gone through, was the subject      22 of asbestos and asbestos health hazards ever      23 discussed?      24 A No.      25 Q Do you subscribe to any medical journals?</p>	<p style="text-align: right;">Page 125</p> <p>1 Christian Holinka 181      2 Endocrinology.      3 Q Were you ever involved in any litigation      4 brought against any of the pharmaceutical companies      5 that you worked for, either as a defendant or as a      6 witness for the companies?      7 MR. DARCHE: I am just going to object to      8 that question.      9 MR. SCHAFER: What is the basis?      10 MR. DARCHE: Relevance. I am trying to      11 think if it was asked at the last deposition      12 whether you have ever been deposed before.      13 MR. SCHAFER: My question is a little bit      14 different.      15 THE WITNESS: May I answer?      16 MR. DARCHE: Yes.      17 A No, I have not been involved.      18 Q When was the first time that you became      19 aware that asbestos could cause adverse health      20 conditions?      21 A Ten years ago, an estimate.      22 Q How did you come to learn that?      23 A Through the press, television, popular      24 media.      25 Q Do you associate any particular type of</p>

Page 126	Page 128
<p>1 Christian Holinka 182</p> <p>2 event or incident that the press, T.V. or popular</p> <p>3 media was reporting on ten years ago?</p> <p>4 MR DARCHE: Objection.</p> <p>5 Q In association with asbestos.</p> <p>6 MR. DARCHE: I just object to the form.</p> <p>7 Q You can answer.</p> <p>8 MR. DARCHE: I think the question is --</p> <p>9 MR. SCHAFER: Ben, please, the question is</p> <p>10 pretty straightforward and it is one that I ask</p> <p>11 at every deposition. And the witness is</p> <p>12 obviously a very intelligent person. If he does</p> <p>13 not understand the question, he will tell me.</p> <p>14 MR. DARCHE: Do you understand the</p> <p>15 question?</p> <p>16 A Would you repeat the question.</p> <p>17 Q You told me that about ten years ago it was</p> <p>18 about that time that you became aware of asbestos and</p> <p>19 health hazards associated with it. When I asked you</p> <p>20 how you responded press, television and popular media,</p> <p>21 your words.</p> <p>22 A Yes.</p> <p>23 Q My question is was there any singular or</p> <p>24 series of events ten years ago that you associated</p> <p>25 with coming to this knowledge about asbestos hazards.</p>	<p>1 Christian Holinka 184</p> <p>2 Q Chronic obstructive pulmonary disease or</p> <p>3 COPD?</p> <p>4 A No.</p> <p>5 Q Asthma?</p> <p>6 A No.</p> <p>7 Q Emphysema?</p> <p>8 A No.</p> <p>9 Q Do you have any allergies?</p> <p>10 A Penicillin.</p> <p>11 Q When did you learn you were allergic to</p> <p>12 Penicillin?</p> <p>13 A About 15 years ago.</p> <p>14 Q Do you have to do anything with respect to</p> <p>15 that, tell your physicians not to prescribe it to you,</p> <p>16 anything like that?</p> <p>17 A They ask routinely about your allergies.</p> <p>18 Q Did you ever smoke, sir?</p> <p>19 A No.</p> <p>20 Q At all.</p> <p>21 A At all, no.</p> <p>22 Q If there is any reference in your medical</p> <p>23 records to previously having smoked, do you have any</p> <p>24 understanding as to why that would be there?</p> <p>25 MR. DARCHE: I am going to object to the</p>
<p style="text-align: center;">Page 127</p> <p>1 Christian Holinka 183</p> <p>2 A No, I don't. I would like to make another</p> <p>3 remark if I may.</p> <p>4 Q Sure.</p> <p>5 A In the course I taught at NYU, there was</p> <p>6 certainly topics of carcinogenesis. To the best of my</p> <p>7 knowledge, I did not include asbestos.</p> <p>8 Q Was that course associated with carcinogens</p> <p>9 relating to reproductive issues?</p> <p>10 A That also, yes, breast cancer.</p> <p>11 MR. DARCHE: Answer the question that he is</p> <p>12 asking you.</p> <p>13 Q That is all I am looking for.</p> <p>14 Is there any additional schooling that you</p> <p>15 have been through that we have not gone over today?</p> <p>16 A No.</p> <p>17 Q Were you ever injured in an on-the-job</p> <p>18 accident in which you filed a worker's compensation</p> <p>19 claim?</p> <p>20 A No, I wasn't.</p> <p>21 Q Have you ever been diagnosed with</p> <p>22 pneumonia?</p> <p>23 A No.</p> <p>24 Q Bronchitis?</p> <p>25 A No.</p>	<p style="text-align: center;">Page 129</p> <p>1 Christian Holinka 185</p> <p>2 form of that question.</p> <p>3 A No. Because it shouldn't be there because</p> <p>4 I never smoked.</p> <p>5 Q You have been seen by a number of doctors</p> <p>6 over the course of your life; is that fair to say?</p> <p>7 A Yes.</p> <p>8 Q Including most recently and perhaps not so</p> <p>9 recently; is that right?</p> <p>10 A Yes.</p> <p>11 Q When these doctors would examine you, would</p> <p>12 they on occasion ask you background questions about</p> <p>13 your past health history, past habits, employment,</p> <p>14 things like that?</p> <p>15 A Yes.</p> <p>16 Q When you were asked those questions, did</p> <p>17 you do your best to answer them truthfully and</p> <p>18 accurately?</p> <p>19 A Yes.</p> <p>20 Q Did you ever intentionally withhold any</p> <p>21 information when you were posed any of those questions</p> <p>22 by any of your doctors?</p> <p>23 A No.</p> <p>24 Q When was the first time in your life that</p> <p>25 you would have been hospitalized for any reason?</p>

<p style="text-align: right;">Page 130</p> <p>1 Christian Holinka 186</p> <p>2 A Last --</p> <p>3 Q Meaning an overnight stay.</p> <p>4 A In the last year, late July -- I'm sorry,</p> <p>5 August, late to mid-August.</p> <p>6 Q And is that hospitalization in connection</p> <p>7 with what you understand to be your current illness?</p> <p>8 A Yes, it is.</p> <p>9 Q When you were growing up, did you have a</p> <p>10 family doctor or a general practitioner that your</p> <p>11 family would take you to if you were ill?</p> <p>12 A No, I didn't.</p> <p>13 Q When you came to the States, did you</p> <p>14 eventually have a doctor who held that role as family</p> <p>15 doctor or general practitioner?</p> <p>16 A No.</p> <p>17 Q During the time that you were married, did</p> <p>18 you and your wife have anybody that would meet that</p> <p>19 role?</p> <p>20 A No.</p> <p>21 Q When was the first time that you can recall</p> <p>22 going to a doctor for any reason?</p> <p>23 A As a result of a physical for Kyowa, which</p> <p>24 was in 1996. And there was a brief physical when I</p> <p>25 started at Organon and a very brief physical at</p>	<p style="text-align: right;">Page 132</p> <p>1 Christian Holinka 188</p> <p>2 reason such as emergency room or as a result of a car</p> <p>3 accident or anything like that?</p> <p>4 A No, I wasn't.</p> <p>5 Q And up until the time --</p> <p>6 MR. SCHAFFER: Withdrawn.</p> <p>7 Q Had you seen Dr. Meyers before he had</p> <p>8 administered this physical to you as a result of your</p> <p>9 Kyowa employment?</p> <p>10 A No, I had not.</p> <p>11 Q It was as a result of that physical that</p> <p>12 Dr. Meyers ultimately became your family doctor?</p> <p>13 A Yes.</p> <p>14 Q Before Dr. Meyers did you have any family</p> <p>15 doctor or general practitioner or someone you would go</p> <p>16 to if you had a cold or the flu or something like</p> <p>17 that?</p> <p>18 A No.</p> <p>19 Q Do you have copies of any of the physicals</p> <p>20 that were done with respect to your employments at</p> <p>21 Johnson or Kyowa or the other outfit?</p> <p>22 A No.</p> <p>23 Q Did any of the doctors that examined you in</p> <p>24 connection with those three employments do chest</p> <p>25 X-rays?</p>
<p style="text-align: right;">Page 131</p> <p>1 Christian Holinka 187</p> <p>2 Johnson and Johnson.</p> <p>3 Q Were these physicals that were administered</p> <p>4 by staff doctors for each of those outfits?</p> <p>5 A J and J was a staff doctor. Organon, I</p> <p>6 believe, was a contract physician.</p> <p>7 Q Do you recall who that contract physician</p> <p>8 was?</p> <p>9 A No, I don't.</p> <p>10 Q And was there another employment physical</p> <p>11 that you had to take that you just mentioned for</p> <p>12 Kyowa?</p> <p>13 A Yes.</p> <p>14 Q Was Kyowa a contract physician or someone</p> <p>15 on staff?</p> <p>16 A Yes, he was. Dr. Meyers who is now my</p> <p>17 personal physician.</p> <p>18 Q Was that the first time that you had seen</p> <p>19 Dr. Meyers?</p> <p>20 A Yes.</p> <p>21 Q I want to, sir, have you think about the</p> <p>22 time period of your life from your birth up until</p> <p>23 approximately August or mid-year 2006, excluding</p> <p>24 everything from August '06 forward. During that time</p> <p>25 period were you ever treated in a hospital for any</p>	<p style="text-align: right;">Page 133</p> <p>1 Christian Holinka 189</p> <p>2 A I do not -- Dr. Meyers, no. Johnson and</p> <p>3 Johnson, no. Organon, no.</p> <p>4 Q When was the first time you had a chest</p> <p>5 X-ray?</p> <p>6 A As a child.</p> <p>7 Q And what was that in relation to?</p> <p>8 A Routine chest X-ray.</p> <p>9 Q And was that in Europe or over here in the</p> <p>10 States?</p> <p>11 A That was in Europe.</p> <p>12 Q Do you recall who administered that X-ray?</p> <p>13 A No.</p> <p>14 Q When would have been the next time you had</p> <p>15 a chest X-ray?</p> <p>16 A I believe in the Army. I'm not sure.</p> <p>17 Q The Army required some physical as well; is</p> <p>18 that what you are saying?</p> <p>19 A Oh, yeah.</p> <p>20 Q Let's go past the Army, do you recall</p> <p>21 having another chest X-ray up until the point of, say,</p> <p>22 mid-last year?</p> <p>23 A I don't recall but I'm virtually certain</p> <p>24 no, I did not.</p> <p>25 Q Have you ever been treated in an emergency</p>

<p style="text-align: center;">Page 134</p> <p>1 Christian Holinka 190      2 room for any reason?      3 A Oh, yeah. Once at Mount Sinai.      4 Q And what happened?      5 A What happened, I had bad pain in my lower      6 left and they thought it was a kidney stone. And it      7 was a long way, I went up to my laboratory, my office,      8 it was excruciating, painful and then suddenly it went      9 away. So, I went back downstairs and told them I do      10 not need anything apparently and they sent me to a      11 Sinai associated physician whose name I don't recall      12 for, I believe, a contrast dye just to be sure that      13 there were no kidney stones and it turned out      14 negative.      15 Q So, do you recall having the contrast dye      16 done?      17 A Yes, yes, it was done.      18 Q Do you know how old you were when this      19 happened? If not that is fine.      20 A This was in the early 80's.      21 Q Have you ever had a heavy blow injury to      22 your chest?      23 A No.      24 Q Have you ever broken any ribs or been told      25 you broke any ribs?</p>	<p style="text-align: center;">Page 136</p> <p>1 Christian Holinka 192      2 A I went to an internist initially.      3 Q And do you recall the internist's name?      4 A Yeah. Henrietta Mayer; M-A-Y-E-R.      5 Q And had you ever seen Dr. Mayer before?      6 A No.      7 Q How did you come to go to Dr. Mayer?      8 A She was across the street from my place.      9 Q And did Dr. Mayer do any tests?      10 A She examined me basically with a      11 stethoscope.      12 Q Did she make any recommendations as to what      13 would be the next step?      14 A Well, she said everything was normal.      15 Q You were still experiencing the shortness      16 of breath?      17 A Yes.      18 Q So, what did you do next?      19 A I asked her I would like to go to a physician      20 to have an X-ray taken and have the physician diagnose      21 the X-ray.      22 Q What did she say?      23 A She referred me immediately.      24 Q To where?      25 A To the big university clinic Charite in</p>
<p style="text-align: center;">Page 135</p> <p>1 Christian Holinka 191      2 A As a child on a bike I once fell and they      3 thought there may be an injury to my rib.      4 Q And was this while you were in Europe?      5 A Yes.      6 Q Outside of that event any other heavy blow      7 injuries in your chest or potential rib injuries?      8 A No.      9 Q Did you notice a change in your health take      10 place sometime in the last year or so?      11 A In my general health, no.      12 Q In any aspect of your health.      13 A In July I developed some shortness of      14 breath.      15 Q And where were you when this occurred?      16 A I was in Berlin, Germany.      17 Q On vacation?      18 A On vacation.      19 Q Did you have any other symptoms besides the      20 shortness of breath at that time?      21 A No.      22 Q Did you seek medical treatment in Germany      23 for that?      24 A Yes, I did.      25 Q Where did you go?</p>	<p style="text-align: center;">Page 137</p> <p>1 Christian Holinka 193      2 Berlin.      3 Q And did you have the X-ray there?      4 A Yes.      5 Q Do you recall the names of any of the      6 doctors who treated you?      7 A Yeah. The person in charge was Professor      8 Huckauf; H-U-C-K-A-U-F.      9 Q And besides the X-ray did you have any      10 other sort of diagnostic tests there?      11 A No.      12 Q Were you told the results of the X-ray?      13 A Yes.      14 Q What were you told?      15 A I was told and shown that my right lung was      16 substantially collapsed, virtually entirely collapsed      17 and there was pleural fluid in my right chest cavity.      18 Q And Dr. Huckauf made this report to you?      19 A Yes.      20 Q And what, if anything, was recommended for      21 your next stage of treatment?      22 A The most immediate recommendation was to      23 drain the fluid.      24 Q Was that done in Germany?      25 A No. I decided to have it done here,</p>

Page 138	Page 140
<p>1 Christian Holinka 194</p> <p>2 immediately flew back.</p> <p>3 Q And when you flew back here, did you see a</p> <p>4 doctor first or did you just go to a hospital?</p> <p>5 A I saw Dr. Meyers.</p> <p>6 Q And did Dr. Meyers administer any tests at</p> <p>7 that time?</p> <p>8 A No, he did not.</p> <p>9 Q Did you have the X-ray from the physician</p> <p>10 in Germany?</p> <p>11 A Yes.</p> <p>12 Q Did he then admit you to have the fluid</p> <p>13 drained?</p> <p>14 A Yes, he did.</p> <p>15 Q Where was that?</p> <p>16 A At Roosevelt.</p> <p>17 Q When did you go in for that procedure?</p> <p>18 A Late August last year.</p> <p>19 Q How long were you treated there?</p> <p>20 A I believe I was in the hospital for two</p> <p>21 nights.</p> <p>22 Q Do you have an understanding as to what</p> <p>23 tests were administered to you during this stay?</p> <p>24 A Routine hospital admission tests, I imagine</p> <p>25 I had a blood test, urinalysis.</p>	<p>1 Christian Holinka 196</p> <p>2 Q Was that the first time you had seen</p> <p>3 Dr. Connory?</p> <p>4 A Yes.</p> <p>5 Q Dr. Connory's first name is Cliff; is that</p> <p>6 right?</p> <p>7 A Yes.</p> <p>8 Q When did Dr. Connory discuss any tests that</p> <p>9 were done on the fluid?</p> <p>10 A Approximately two days later, three days</p> <p>11 later.</p> <p>12 Q And was this at Dr. Connory's office?</p> <p>13 A Yes.</p> <p>14 Q Do you know how much fluid was drained?</p> <p>15 A 2.7 liters, 2,700 milliliters.</p> <p>16 Q What did Dr. Connory report to you about</p> <p>17 the results of the testing done on the fluid?</p> <p>18 A The fluid was negative.</p> <p>19 Q Did he suggest any further course of</p> <p>20 treatment or follow-up testing to be done?</p> <p>21 A Yes.</p> <p>22 Q What was suggested?</p> <p>23 A To take biopsies of several lesions he had</p> <p>24 shown in the X-ray after the fluid had been removed.</p> <p>25 Q Where to your understanding were the</p>
<p>1 Christian Holinka 195</p> <p>2 Q X-ray, CAT scan, anything like that?</p> <p>3 A Yes, X-ray.</p> <p>4 Q Did you have the fluid drained at that</p> <p>5 time?</p> <p>6 A Yes. Dr. Connory took X-rays and I was</p> <p>7 there for two surgical procedures, the initial was to</p> <p>8 drain the fluid.</p> <p>9 Q Were both surgical procedures done during</p> <p>10 this two night stay?</p> <p>11 A No. There was another, another operation.</p> <p>12 Q I want to keep it compartmentalized if I</p> <p>13 could.</p> <p>14 A Okay, sorry.</p> <p>15 Q We will get through it all, it is just</p> <p>16 easier to do it in this fashion.</p> <p>17 The first two night stay that you were</p> <p>18 there approximately two nights, was the fluid drained</p> <p>19 at that point?</p> <p>20 A Yes.</p> <p>21 Q And then at some point did somebody report</p> <p>22 the results of any testing done on the fluid to you?</p> <p>23 A Yes, they did.</p> <p>24 Q And was that Dr. Connory?</p> <p>25 A Dr. Connory.</p>	<p>1 Christian Holinka 197</p> <p>2 lesions located?</p> <p>3 A In the visceral pleura, the pleura that</p> <p>4 lines the lung and I believe one in the diaphragm.</p> <p>5 Q Did the removal of the fluid ease your</p> <p>6 breathing problems?</p> <p>7 A Yes.</p> <p>8 Q Did you ultimately go in to have the</p> <p>9 procedures that were recommended to you by</p> <p>10 Dr. Connory?</p> <p>11 A Yes.</p> <p>12 Q And when did that take place?</p> <p>13 A About two weeks after the first operation.</p> <p>14 Q And were you admitted overnight for that?</p> <p>15 A Yes.</p> <p>16 Q How long was that admission?</p> <p>17 A I believe it was one night.</p> <p>18 Q And to your understanding were they able to</p> <p>19 obtain the biopsies?</p> <p>20 A Yes.</p> <p>21 Q Were you told the results of any testing</p> <p>22 done on the biopsies?</p> <p>23 A Yes.</p> <p>24 Q What were you told?</p> <p>25 A Bipolar mesothelioma.</p>

<p style="text-align: center;">Page 142</p> <p>1 Christian Holinka 198      2 Q Were you familiar with that illness prior      3 to your being diagnosed with it?      4 A Mesothelioma? Yes.      5 Q When did you first become familiar with      6 mesothelioma as an illness?      7 A Twenty years ago, fifteen years ago.      8 Q And in what context did you first become      9 familiar with that illness?      10 A Through the lay literature information and      11 very likely also chanced upon in the professional      12 literature.      13 Q Had you ever known anyone diagnosed with      14 mesothelioma?      15 A No.      16 Q Had you ever known anyone being treated for      17 any mesothelioma related conditions?      18 A No.      19 Q Dr. Connory reported these results to you?      20 A Yes.      21 Q Did Dr. Connory suggest what was the next      22 stage of treatment?      23 A May I add to this?      24 Q Yes.      25 A Dr. Connory and an oncology physician at</p>	<p style="text-align: center;">Page 144</p> <p>1 Christian Holinka 200      2 Q And what was Dr. Taub's opinion?      3 A He confirmed the opinion of Dr. Connory.      4 Q Did he suggest a follow-up course of      5 treatment?      6 A Yes. Systemic chemotherapy and topical      7 chemotherapy.      8 Q Did you begin the systemic chemotherapy?      9 A Yes.      10 Q When did you begin that?      11 A In late October, early November. I think      12 it was even mid-October.      13 Q And where were those treatments      14 administered?      15 A Presbyterian.      16 Q Are you still undergoing the systemic      17 chemotherapy?      18 A Not at the moment. I'm on furlough as      19 Dr. Taub said until early May.      20 Q When did you have your last session of the      21 systemic chemotherapy?      22 A About mid-December, early to mid-December.      23 Q Then you had additional chemotherapy after      24 that?      25 A No.</p>
<p style="text-align: center;">Page 143</p> <p>1 Christian Holinka 199      2 Roosevelt whose name I don't recall.      3 Q Did Dr. Connory suggest a further course of      4 treatment?      5 A I asked for a second opinion --      6 Q And did you go get --      7 A -- before he suggested.      8 Q Did you go get the second opinion?      9 A Yes.      10 Q Where was that at?      11 A Dr. Taub at Presbyterian.      12 Q When did you see Dr. Taub?      13 A September last year.      14 Q And did you have --      15 A No, please, excuse me. It may be early      16 October but I believe it was in September.      17 Q And let me represent to you, sir, that we      18 have not had an opportunity to obtain all of your      19 medical records right now, so we will have a chance to      20 get them all and review them. I am just asking for      21 your best recollections.      22 When you had the examination, the meeting      23 with Dr. Taub, did you have your test results from St.      24 Luke's with you?      25 A Yes.</p>	<p style="text-align: center;">Page 145</p> <p>1 Christian Holinka 201      2 Q I'm sorry, you had mentioned two types of      3 chemotherapy.      4 A Yes. The topical chemotherapy was      5 concurrent and there was one operation prior to both      6 of them. Dr. Sonnet implanted two ports to directly      7 administer to the thorax the cisplatin and      8 gammatafirin. (Phonetic)      9 Q And this was all in the course of your      10 concurrent chemotherapy treatments?      11 A It was prior.      12 Q Prior to it?      13 A Yes, just prior to it.      14 Q When was the last topical chemotherapy      15 treatment administered?      16 A At the same time I believe as, yes, I know,      17 the last systemic chemotherapy.      18 Q Were you told the results of the      19 chemotherapy treatments at any time?      20 A At the end of my third course.      21 Q What were you told?      22 A Dr. Taub told me that I'm responding well      23 and that he was putting me on furlough, as he put it,      24 for three months.      25 Q Did he tell you how large the lesions were</p>

<p style="text-align: right;">Page 146</p> <p>1 Christian Holinka 202      2 when they were first seen?      3 A I believe he said the largest was 1      4 centimeter.      5 Q Do you have an understanding as to the size      6 of the lesions now after the chemotherapy treatments?      7 A He said it's been reduced in size.      8 Q Did he give you any idea of the size of the      9 reduction?      10 A No.      11 Q Have you had to have fluid drained since      12 the initial draining of 2.7 liters?      13 A No.      14 Q Have you experienced shortness of breath      15 since the pleura fluid was drained?      16 A No.      17 Q Do you take any over-the-counter      18 medications for any pain currently that you associate      19 with this illness as opposed to headaches?      20 A Currently, no.      21 Q Did you take any medications with respect      22 to the surgeries that you had to have for the      23 implanting of the ports or anything like that?      24 A Some pain medicine.      25 Q And when would have been the last time that</p>	<p style="text-align: right;">Page 148</p> <p>1 Christian Holinka 204      2 A No.      3 Q Is Dr. Grossban or Dr. Grossbard?      4 A Gross.      5 Q Grossbard or Grossband, does that name ring      6 any bells?      7 A I think it may have been the name of the      8 oncologist at Roosevelt but I don't recall his name.      9 Q And have you had any other --      10 A Yeah, I think another physician briefly,      11 examined me in the oncology department at Roosevelt.      12 Q And outside of the names you have mentioned      13 and the names I have mentioned, are there any other      14 doctors that you can recall having treated with since,      15 say, summer of 2006?      16 A No.      17 Q Did any of the doctors report to you as to      18 what they believe the cause of the bipolar      19 mesothelioma was?      20 A Well, Dr. Taub certainly pointed out the      21 association between asbestos and the illness.      22 Q Did Dr. --      23 A With Connory I do not think we discussed      24 causeology.      25 Q Did Dr. Taub ask you questions as to</p>
<p style="text-align: right;">Page 147</p> <p>1 Christian Holinka 203      2 you took any of that?      3 A I just took it for two days after the      4 operation.      5 Q You say that you are currently on furlough,      6 your word, do you have an understanding as to when      7 your next currently scheduled medical appointment is      8 with anybody in association with your diagnosis?      9 A There is an interim CAT scan to be      10 scheduled in early March, I don't know the exact date      11 yet.      12 Q Have you seen any other doctors in      13 association with your diagnosis of bipolar      14 mesothelioma?      15 A No.      16 Q There was an indication I think in some      17 records that I did have a chance to look at of a      18 Dr. Fischer, who is that?      19 A Dr. Fischer is an old friend of mine from      20 my undergraduate days, he's a professor of medicine at      21 Stanford University. And Dr. Fischer, he came to New      22 York and actually accompanied me to both Connory and      23 Dr. Taub.      24 Q But Dr. Fischer is not involved in your      25 treatment regimen at all?</p>	<p style="text-align: right;">Page 149</p> <p>1 Christian Holinka 205      2 whether you thought that you were exposed to asbestos      3 in any way?      4 MR. DARCHE: I am just going to object.      5 But you can answer.      6 A Yes, he did. And I told him about my      7 association.      8 Q Has anybody given you a prognosis?      9 A No.      10 Q Have you done any independent research      11 yourself with respect to either the causes of      12 mesothelioma or potential treatments?      13 A You might not believe it but the answer is      14 absolutely no. Psychologically it is too difficult.      15 Q Has anybody done any research on your      16 behalf or at your behest?      17 A No.      18 Q Did you ever have to care for anyone that      19 was diagnosed with cancer?      20 A No.      21 Q Have you ever been diagnosed with any other      22 type of cancer?      23 A No.      24 Q Besides, I believe, you said the follow-up      25 CAT scan, do you have any other future medical</p>

Page 150	Page 152
<p>1 Christian Holinka 206      2 appointments or treatments that you are aware of?      3 A In early May at the end of my three months      4 presumably Dr. Taub will see me. I'll find out in      5 early March.      6 MR. DARCHE: Why don't we take a little      7 break.      8 (Whereupon, at 2:35 P.M., a short recess      9 was taken)      10 (Back on the record at 2:45 P.M.)      11 Q Sir, I just have a couple of other      12 additional questions for you and then I am going to      13 pass the questioning.      14 MR. DARCHE: Your last question was still      15 on the table, I think.      16 MR. SCHAFER: Could you read back the last      17 question, please.      18 (Whereupon, at this time, the requested      19 portion was read back by the reporter)      20 Q Anything else?      21 A I would like to add this, that I have an      22 appointment with Dr. Moline at Mount Sinai.      23 Q An appointment for Dr. Moline to?      24 A To examine me.      25 Q To examine you.</p>	<p>1 Christian Holinka 208      2 A I took for a brief period, I took Lipitor      3 medication and then I discontinued.      4 Q When was that approximately?      5 A Approximately three, four years ago.      6 Q How tall are you?      7 A 5'11".      8 Q How much do you currently weigh?      9 A 143.      10 Q Thinking back to 2005, what was your      11 average adult weight?      12 A About 15 pounds more. About 162, 20 pounds      13 more.      14 Q Do you belong to any civic or religious      15 organizations?      16 A No.      17 Q Do you have any hobbies or what do you like      18 to do in your spare time?      19 A Read, listen to music, do science.      20 Q How large is the living space that you      21 currently reside in?      22 A 700 square feet.      23 Q Do you need to have anybody come in to do      24 any cleaning of those premises or do you do it      25 yourself?</p>
Page 151	Page 153
<p>1 Christian Holinka 207      2 A Yes.      3 Q When is that scheduled for?      4 A Tomorrow.      5 Q Have you ever been examined by Dr. Moline      6 before?      7 A No.      8 Q Did Dr. Taub refer you to Dr. Moline?      9 A I do not know about the process.      10 Q Are you aware of any of your doctors      11 referring you to Dr. Moline?      12 A No, I am not.      13 Q Have you ever been diagnosed with diabetes?      14 A No.      15 Q Have you ever been diagnosed with any heart      16 problems?      17 A No.      18 Q Have you ever been diagnosed with high      19 cholesterol?      20 A Moderately high cholesterol. Could I add      21 to that?      22 Q Yes, sir.      23 A That went away, diet control and exercise.      24 Q Did you ever have to take any medications      25 in relation to that?</p>	<p>1 Christian Holinka 209      2 A No, I do it myself.      3 Q Have you been able to do that since your      4 diagnosis last year?      5 A Well, not during the operations and less so      6 now because I do have some pain in my right chest.      7 Q Do you have any out-of-pocket expenses      8 associated with any of the medical treatments or      9 procedures that you have undergone since mid-2006?      10 A Yes.      11 Q And can you give me a best estimate as to      12 how much you are out of pocket, what you have not been      13 covered for?      14 A At this time about \$500, \$700.      15 Q And have you incurred any other      16 out-of-pocket expenses associated with any chores or      17 other responsibilities that you might have?      18 A No. Occasionally a taxi to Columbia.      19 MR. SCHAFER: All right, sir, I am going      20 to pass the questioning right now to one of my      21 colleagues here. I want to thank you very much      22 for your time and for your patience.      23 THE WITNESS: Thank you.      24 CROSS-EXAMINATION      25 BY MR. ABERNETHY:</p>

<p style="text-align: right;">Page 154</p> <p>1 Christian Holinka 210</p> <p>2 Q Good afternoon.</p> <p>3 A Good afternoon.</p> <p>4 Q My name is David Abernethy. I am with the 5 law firm of Drinker, Biddle and Reath in Philadelphia, 6 Pennsylvania. I represent Univar USA, Incorporated 7 and VWR International, Incorporated which are two of 8 the defendants in this lawsuit.</p> <p>9 All the same instructions that you were 10 previously given still hold including, of course, 11 letting me know if you need to clarify a question or 12 if you need a break for any reason.</p> <p>13 I want to start -- and let me add one more 14 thing: I am going to be touching on testimony and 15 questions that you have already given. It may seem 16 like I am jumping around a little bit, at times it may 17 seem a little bit repetitious. I will try not to 18 repeat any more than I absolutely have to for context 19 but when you go second or third or fourth, you are 20 asking about things that have already been covered to 21 some extent, so you have to do some of that.</p> <p>22 You were asked a lot of questions --</p> <p>23 MR. DARCHE: And if you get tired or you 24 want to stop, just let us know, it is not a 25 marathon.</p>	<p style="text-align: right;">Page 156</p> <p>1 Christian Holinka 212</p> <p>2 with respect to the pads. If I understood your 3 testimony correctly, the pads were a wire mesh of some 4 kind with a round asbestos-containing pad inside?</p> <p>5 A Yes.</p> <p>6 Q Was the mesh completely closed in those 7 things so that it is just one closed item or unit; do 8 you know what I mean?</p> <p>9 A The inside pad and the mesh were one unit.</p> <p>10 Q And when you would discard one of these 11 things after it had been used for a while, which you 12 described earlier, would you throw the whole thing 13 away, both the pad and the mesh, or just throw the pad 14 away and put a new pad inside the old mesh?</p> <p>15 A We would throw the whole thing away.</p> <p>16 Q So, it was all one product that you used 17 and then threw away.</p> <p>18 A Yes.</p> <p>19 Q You were asked a lot of questions about who 20 supplied or manufactured certain products and a number 21 of times you referred to standard suppliers; do you 22 recall that?</p> <p>23 A Yes, I do.</p> <p>24 Q I need to get a little more detail about 25 that from you. Let me start backwards if I could with</p>
<p style="text-align: right;">Page 155</p> <p>1 Christian Holinka 211</p> <p>2 Q Yes. If it becomes necessary to stop, you 3 can let us know that or if you just need a break.</p> <p>4 You were asked a number of questions about 5 where certain of the places you worked got particular 6 products, particularly the Bunsen burner pads and 7 mittens and I want to get into that in a minute but 8 first I would like you to clarify something for me 9 about Bunsen burners.</p> <p>10 Did any of the Bunsen burners themselves 11 that you worked with have any asbestos in them or was 12 it just the Bunsen burner pads?</p> <p>13 MR. DARCHE: I am going to object to the 14 form for lack of foundation.</p> <p>15 But you can answer.</p> <p>16 A To my knowledge, no, they did not contain 17 asbestos.</p> <p>18 Q The burners themselves did not?</p> <p>19 A That's correct, they did not.</p> <p>20 Q So, if you had any exposure to asbestos in 21 connection with the use of Bunsen burners, it was 22 either from the pads or from the mittens you used with 23 the glassware; is that right?</p> <p>24 A That's correct.</p> <p>25 Q Now, if you could clarify something for me</p>	<p style="text-align: right;">Page 157</p> <p>1 Christian Holinka 213</p> <p>2 Mount Sinai, the time that you worked in the lab as an 3 instructor or assistant professor. Tell me again all 4 the companies that you recall that you described as 5 standard suppliers at Mount Sinai?</p> <p>6 A I recall the major companies, Fisher 7 Scientific, Van Waters and Rogers, American 8 Scientific, Senco. And others were for specific 9 things like hormones or specific research areas.</p> <p>10 Q And when you referred to these four 11 companies that you just listed as major suppliers, 12 what is the basis for that, did you know, did you have 13 actual knowledge that they sold products that were 14 used in the lab at Mount Sinai?</p> <p>15 (All defendants object to the form)</p> <p>16 THE WITNESS: Can I answer?</p> <p>17 MR. DARCHE: You can answer.</p> <p>18 A Yes, I did.</p> <p>19 Q And how did you know that they sold 20 products to --</p> <p>21 A Well -- sorry.</p> <p>22 MR. DARCHE: Let him finish.</p> <p>23 Q How did you know that those companies sold 24 products that were used in the lab at Mount Sinai?</p> <p>25 A First, we had large catalogs of those</p>

<p style="text-align: right;">Page 158</p> <p>1 Christian Holinka 214      2 companies. They're really catalogs, that's an      3 understatement, they're like books, 600, 800 pages,      4 whatever, with the names of those companies in the      5 back of the books clearly visible.</p> <p>6 Secondly, for my specific research I      7 actually ordered, may have ordered things from those      8 companies. If you needed a small or a minor flask or      9 something specifically related to your own research.</p> <p>10 Q You started by saying "ordered" and then      11 you said "may have ordered," which is it? Do you have      12 an actual recollection of specific companies that you      13 ordered from for your research at Mount Sinai?</p> <p>14 A I did order from certainly any one or      15 several of those companies, I could not tell you at      16 this time which one and what I ordered.</p> <p>17 Q And you said for your specific research.      18 When you ordered for your specific research, were you      19 ordering general lab supplies or unusual things that      20 were just needed for your work?</p> <p>21 MR. DARCHE: I am going to just object to      22 the terminology of "unusual."</p> <p>23 MR. ABERNETHY: Let me rephrase the      24 question.</p> <p>25 Q When you yourself went to -- would you ask</p>	<p style="text-align: right;">Page 160</p> <p>1 Christian Holinka 216      2 Mount Sinai who got those things from the companies,      3 you do not know the person's name?</p> <p>4 A My technician may have gotten some but I do      5 not recall the details.</p> <p>6 Q Can you tell me from your own knowledge      7 which, if any, of those major suppliers sold Bunsen      8 burner pads to Mount Sinai, which specific companies?</p> <p>9 A I would not know a specific company.</p> <p>10 Q Can you tell me which specific companies      11 among those four, if any, sold mittens to Mount Sinai?</p> <p>12 (All defendants object)</p> <p>13 A No, I could not.</p> <p>14 Q Did you ever talk to any of the people who      15 ordered supplies at Mount Sinai about which specific      16 companies they ordered specific items from?</p> <p>17 A No, I didn't.</p> <p>18 Q Did you ever see any documents at Mount      19 Sinai that indicated what company's particular items      20 had been ordered from?</p> <p>21 A To the best of my knowledge, yes, ordering      22 forms that specified VWR, Fisher Scientific.</p> <p>23 Q Let me ask you about that. When you say      24 ordering forms, do you mean the blank forms that were      25 used to place an order or a form that had already been</p>
<p style="text-align: right;">Page 159</p> <p>1 Christian Holinka 215      2 someone to order for you or would you actually do the      3 ordering yourself?</p> <p>4 A I would ask somebody to include it in      5 another order unless it was very urgent. And as I      6 said that we may, may even have had a special ordering      7 venue with one or several companies.</p> <p>8 Q When you asked someone at Mount Sinai to      9 order something specifically for your research, who      10 was the person that you asked?</p> <p>11 A My technician or the head of the      12 laboratory.</p> <p>13 Q Did you ever specifically ask for Bunsen      14 burner pads or mittens to be ordered specifically for      15 your research?</p> <p>16 A No, I did not.</p> <p>17 Q So, those were the general supplies that      18 were ordinarily ordered?</p> <p>19 A That is correct. Standard laboratory      20 equipment.</p> <p>21 Q And who was the person who ordered those      22 general kinds of supplies at Mount Sinai?</p> <p>23 A At my laboratory I could not tell you. We      24 may have gotten it from the central supply room.</p> <p>25 Q So, whoever the actual employee was at</p>	<p style="text-align: right;">Page 161</p> <p>1 Christian Holinka 217      2 filled out with a specific order?</p> <p>3 A Very likely both, filled out forms and      4 blank forms. And I do not even recall the type of the      5 form.</p> <p>6 Q Do you recall any of the specific contents      7 of any filled out forms that listed specific items      8 that were being ordered?</p> <p>9 A No, I don't.</p> <p>10 Q Where were the catalogs at Mount Sinai?</p> <p>11 A At the laboratory, shelves.</p> <p>12 Q How many catalogs were there?</p> <p>13 A Twenty, twenty-five.</p> <p>14 Q Did each catalog cover a different company?</p> <p>15 A Yes.</p> <p>16 Q Do you remember the names of any of the      17 other companies?</p> <p>18 A No, I don't.</p> <p>19 Q Did any of the other companies other than      20 the four that you listed sell Bunsen burner pads?</p> <p>21 MR. DARCHE: If you know.</p> <p>22 Q Well, they are all if you know. Let me      23 repeat what has already been said: I only want to      24 know what you know, I do not want you to guess.</p> <p>25 A I don't know.</p>

<p style="text-align: right;">Page 162</p> <p>1 Christian Holinka 218      2 Q You do not know whether any of the others      3 did or didn't.      4 A That's correct, I don't know.      5 Q Do you know whether any of the companies      6 other than those four that you just named sold      7 asbestos mittens?      8 A I don't know.      9 Q Who else used the catalogs or --      10 MR. ABERNETHY: Let me withdraw that.      11 Q Who else looked at the catalogs besides      12 you, if you know?      13 A In terms of names or people that worked at      14 the lab?      15 Q Either. Whatever information --      16 A Pretty much graduate students and post      17 docs, post doctoral students.      18 Q Did the graduate students or post doctorate      19 students order from the catalogs?      20 A Very likely, yes. That was the source of      21 information.      22 Q While you were at Mount Sinai, did you ever      23 see any of the original packaging or crates or cartons      24 that any Bunsen burner pads came in?      25 A No, I did not.</p>	<p style="text-align: right;">Page 164</p> <p>1 Christian Holinka 220      2 color, it could be a million things.      3 MR. ABERNETHY: Let me try it a different      4 way and we will break it down so that we are not      5 too broad, we will take it place by place.      6 Q While you worked with or handled Bunsen      7 burner pads at Mount Sinai, if you went into the lab      8 on a particular day and picked up a particular pad,      9 would there be anything about the appearance of that      10 pad that would enable you to identify who specifically      11 made or sold it?      12 A Not about the appearance but in retrospect      13 it is likely that they were different sizes.      14 Q You used that term before "it is likely," I      15 want to probe that a little bit more.      16 A Or it -- okay.      17 Q Let me ask you a specific question: Do you      18 specifically recall as you sit here today handling      19 different sizes of Bunsen burner pads?      20 A No, I don't.      21 Q Is there anything that you can recall about      22 any specific Bunsen burner pad that you handled at      23 Mount Sinai that enabled you to identify it as coming      24 from a particular maker or supplier?      25 A No.</p>
<p style="text-align: right;">Page 163</p> <p>1 Christian Holinka 219      2 Q While you were at Mount Sinai, did you ever      3 see any of the original packaging or cartons or crates      4 that asbestos mittens came in?      5 A To the best of my recollection, I did not.      6 Q Do you know whether or not Mount Sinai      7 bought asbestos Bunsen burner pads from any companies      8 other than the four that you specifically recall the      9 names of?      10 A I do not know.      11 Q Do you know if they bought mittens from any      12 other companies?      13 A I do not know.      14 Q Let me touch on a question that you were      15 asked with respect to certain places but I want to      16 make sure that we covered it for all.      17 During any of the time periods that you      18 worked with Bunsen burner pads, were there any pads      19 sold by any specific company that looked unique or      20 different from the pads sold by other companies?      21 MR. DARCHE: I am just going to object to      22 the form and the basis is it is too broad. Is      23 there a specific, is there a specific, you know,      24 thing that you are -- it would be different if      25 you are talking about the size, the width, the</p>	<p style="text-align: right;">Page 165</p> <p>1 Christian Holinka 221      2 Q So, as a general rule if you went into the      3 lab and picked up a pad, it could have come from any      4 number of companies, you would not know which one just      5 by looking at it, correct?      6 A That's correct, I wouldn't know which one.      7 Q Were there any asbestos mittens that you      8 handled in the lab at Mount Sinai at any time that you      9 were able to identify the maker or supplier from the      10 size, appearance, color or any other observable      11 characteristics?      12 A No, I would not be able to identify.      13 Q Is that true of the other places that you      14 handled asbestos mittens, the earlier employment or      15 lab work that you did? Were there ever any asbestos      16 mittens that you handled that you could identify the      17 maker or seller by something about the appearance?      18 A No, I couldn't. But may I add a but to      19 this?      20 MR. DARCHE: Go ahead.      21 A I have no idea if perhaps there was a      22 little bit in the bag, a tiny label inside which is      23 unlikely. But ordinarily, ordinary use I would not be      24 able to identify one company from another.      25 Q Did you ever see a label on any asbestos</p>

<p style="text-align: right;">Page 166</p> <p>1 Christian Holinka 222      2 mitten at any location --      3 A No.      4 Q -- that identified the maker or seller?      5 A No, I did not.      6 Q Did you ever see a label or a logo or a      7 word or symbol or imprint or anything physically      8 observable on a Bunsen burner pad that told you who      9 made or sold that pad?      10 A No, I did not.      11 Q Let me ask you a few questions about the      12 mittens. In the mittens that you worked with in labs      13 that you believe contained asbestos, where physically      14 in the product was the asbestos?      15 A I do not know but they were identified as      16 asbestos mittens.      17 Q How were they identified as asbestos      18 mittens?      19 A In the catalogs.      20 Q Did you ever order mittens from any catalog      21 yourself?      22 A No, I did not.      23 Q When you worked with mittens in the labs,      24 the various labs that you worked in, did you ever      25 compare a particular set of mittens to an entry or a</p>	<p style="text-align: right;">Page 168</p> <p>1 Christian Holinka 224      2 in the lab that they contained asbestos because some      3 of the catalogs referred to asbestos mittens?      4 MR. DARCHE: Objection to the form. It      5 mischaracterizes the witness' prior testimony      6 that also said it was stated by colleagues and      7 co-workers that these gloves were asbestos.      8 MR. ABERNETHY: Well, first of all, I am      9 not characterizing his testimony, I am not asking      10 him about his testimony. I am asking him why he      11 thought a particular thing and he can tell me. I      12 would rather have him tell me than have you      13 testify for him as to why he --      14 MR. DARCHE: I just ask that you rephrase      15 the question.      16 Q You saw catalog pages from time to time      17 that referred to asbestos mittens, correct?      18 A Yes.      19 Q Did you have any other basis for believing      20 that a particular pair of mittens contained asbestos?      21 A It was common knowledge in our working      22 situation.      23 Q Any other basis for believing that the      24 mittens that you used contained asbestos beyond what      25 you have already told me?</p>
<p style="text-align: right;">Page 167</p> <p>1 Christian Holinka 223      2 picture in a catalog to confirm that they contained      3 asbestos?      4 MR. DARCHE: I am going to object. You      5 cannot confirm it by -- I am going to object to      6 the form.      7 MR. ABERNETHY: Object to the form, do not      8 testify as to why you think something is or      9 isn't.      10 MR. DARCHE: I am going to object to the      11 form of the question, there you go.      12 MR. ABERNETHY: Let me rephrase it and      13 maybe this will satisfy your concern.      14 Q When you used the asbestos mittens in the      15 lab, did you always have the catalog handy to look at      16 at the same time?      17 A No.      18 Q Did you ever look at the catalog while you      19 were holding or using a pair of asbestos mittens?      20 A No.      21 Q Did any of the companies from whom these      22 labs ordered mittens sell mittens that did not contain      23 asbestos, if you know?      24 A I don't know.      25 Q Did you simply assume when you used mittens</p>	<p style="text-align: right;">Page 169</p> <p>1 Christian Holinka 225      2 A No.      3 Q Do you have any knowledge as to what      4 portions of the mittens, what physical parts of the      5 product contained asbestos?      6 A No.      7 Q Describe the mittens for me a little bit      8 more if you could; what was the outside made of, the      9 outside surface made of or what did it appear to be      10 made of?      11 A Well, it was -- that's a difficult      12 question. It was a somewhat coarse material, tanish,      13 grayish. I don't have an obvious comparison. And      14 certainly relatively sturdy, it wasn't like cloth.      15 Q Would you compare, would it be fair to      16 compare it to some kind of coarse or rough fabric of      17 some kind?      18 A Yes.      19 Q What was underneath that outer surface, if      20 you know?      21 A I don't know.      22 Q Did you ever see what was underneath the      23 outer surface?      24 A No.      25 Q Did you ever cut open a pair of gloves to</p>

<p style="text-align: right;">Page 170</p> <p>1 Christian Holinka 226      2 see?      3 A No.      4 Q Did you ever see a glove that was torn open      5 so that you could see inside?      6 A No.      7 Q Do you know anything about what was the      8 appearance or characteristics of the gloves other than      9 what you could observe or feel on the outer surface?      10 A No. Other than their shape, that's part of      11 the appearance.      12 Q Was the surface on the inside --      13 MR. ABERNETHY: Let me rephrase.      14 Q Was the surface that touched your hand as      15 opposed to the surface facing away from your hand, was      16 that the same material, those two sides?      17 MR. DARCHE: If you remember.      18 A I do not recall.      19 Q Were all the mittens that you used in the      20 various labs in which you worked or did academic      21 research the same color or approximately the same      22 color?      23 A Yes.      24 Q You do not recall any that had any      25 distinctive color that stood out like bright blue or</p>	<p style="text-align: right;">Page 172</p> <p>1 Christian Holinka 228      2 your body, if it did.      3 A Debris, micro debris, if you want, dust.      4 The gloves, of course, were used to handle very hot      5 materials and heat has deteriorating effects on any      6 material. So, over longer periods of time there was      7 disintegration, it's inevitable of any material that      8 you use in this particular circumstance.      9 Q So, am I correct that you believe or      10 observed that whatever was in that, on that surface of      11 the glove would degrade over time and give off dust?      12 A The surface as well as perhaps the inside.      13 Q Did you ever see -- I thought you testified      14 a few minutes ago you never saw the inside of any      15 glove.      16 MR. DARCHE: I am just going to object to      17 the argumentative nature of that question.      18 MR. ABERNETHY: I will rephrase it.      19 Q Do you recall testifying a few minutes ago      20 that you did not see the inside of any asbestos      21 mittens?      22 MR. DARCHE: I am going to object to the      23 form, it mischaracterizes his testimony. That      24 was not the question asked.      25 MR. ABERNETHY: Well, that is my question.</p>
<p style="text-align: right;">Page 171</p> <p>1 Christian Holinka 227      2 red or anything like that?      3 A No, I do not recall.      4 Q Was there anything about the design or      5 construction of any particular pair of asbestos gloves      6 or mittens that looked different than the others?      7 A No, not to my knowledge.      8 Q If I touched on this already, I apologize:      9 Did you ever use any specific set of asbestos mittens      10 that had something distinct or observable about it      11 that enabled you to identify who made them or sold      12 them?      13 MR. DARCHE: I am going to object to the      14 form.      15 But you can answer.      16 A No.      17 Q How do you believe you were exposed to      18 asbestos from mittens?      19 MR. DARCHE: I am going to object that this      20 was gone over.      21 But you can answer again.      22 MR. ABERNETHY: I think he testified as to      23 how he used mittens and what they were used for.      24 Q What I am trying to find out is how, if you      25 know, did asbestos actually get from the mittens into</p>	<p style="text-align: right;">Page 173</p> <p>1 Christian Holinka 229      2 MR. DARCHE: You can answer if you can.      3 A Okay, I don't recall exactly whether I said      4 I didn't see it. Wasn't the question more whether the      5 outside and the inside were similar?      6 Q Did you ever see the material that was      7 underneath the external surface of the asbestos      8 mittens that you worked with?      9 A I did not.      10 MR. DARCHE: Off the record.      11 (Discussion held off the record)      12 Q Do you recall any of the specific companies      13 that sold Bunsen burner pads to the lab that you      14 worked in at Columbia Presbyterian?      15 A No, I don't.      16 Q Do you recall any of the specific companies      17 that sold Bunsen burner pads to the lab that you      18 worked in at SUNY Stony Brook?      19 A No, I don't.      20 Q Do you recall any of the specific companies      21 that sold Bunsen burner pads to the lab where you did      22 your chemistry lab at Hunter College?      23 A No.      24 Q Do you recall any of the specific companies      25 that sold Bunsen burner pads to the laboratory where</p>

<p style="text-align: right;">Page 174</p> <p>1 Christian Holinka 230      2 you did your academic work at the University of      3 California at Berkeley?      4 A No, I don't. But with there again, it was      5 a large research unit and they used standard      6 suppliers.      7 Q And tell me again who the standard      8 suppliers were that you recall that were used in the      9 large research lab at UC Berkeley.      10 A Fisher Scientific, Van Waters and Rogers,      11 American Scientific, Senco.      12 Q But as you sit here today, can you tell me      13 which specific companies, if any, in that group sold      14 Bunsen burner pads for that lab?      15 A I could not.      16 Q Do you know whether any other companies      17 sold Bunsen burner pads to that lab?      18 A I do not know.      19 Q Do you know whether any other companies      20 sold Bunsen burner pads to the lab at Hunter College?      21 A No, I don't know.      22 Q Do you know if any other companies sold      23 Bunsen burner pads to the lab at SUNY Stony Brook?      24 A No, I don't know.      25 Q Do you know if any other companies sold</p>	<p style="text-align: right;">Page 176</p> <p>1 Christian Holinka 232      2 A I do not know.      3 Q Can you identify any specific company that      4 sold mittens to any of the labs that you did work in      5 at Cal Berkeley?      6 A No, I cannot.      7 Q Do you know whether anybody other than      8 standard suppliers as you described them sold mittens      9 to the lab at UCal Berkeley?      10 A No, I do not know.      11 Q Do you know who specifically sold mittens      12 to the lab at Hunter College?      13 A No, I don't.      14 Q Do you know whether any companies other      15 than those you recall as the standard suppliers sold      16 at Hunter College mittens?      17 A No, I don't.      18 Q Can you identify the specific company that      19 sold mittens to the lab at SUNY Stony Brook?      20 A No, I don't.      21 Q Do you know whether any other than the      22 standard suppliers did?      23 A I don't.      24 Q Do you know who sold, the specific company      25 who sold mittens to the lab at Columbia Presbyterian?</p>
<p style="text-align: right;">Page 175</p> <p>1 Christian Holinka 231      2 Bunsen burner pads to the lab at Columbia Presbyterian?      3 A No, I don't.      4 Q As you sit here today can you tell me what      5 specific companies sold Bunsen burner pads to the lab      6 at Booth Hospital?      7 A No, I don't know.      8 Q Do you know if any companies other than the      9 ones that you mentioned earlier as standard suppliers      10 sold Bunsen burner pads to the lab at Booth Hospital?      11 A No, I don't know.      12 Q Let me ask you the same couple of questions      13 about mittens: As you sit here now can you identify      14 any specific company that sold Bunsen burner pads used      15 in the lab at Booth Hospital?      16 A No, I cannot identify a specific company.      17 MR. DARCHE: Off the record.      18 (Discussion held off the record)      19 Q Again, the question is, can you identify a      20 specific company that sold mittens to the lab at Booth      21 Hospital?      22 A No, I cannot.      23 Q And do you know whether any company other      24 than the standard suppliers sold mittens to Booth      25 Hospital?</p>	<p style="text-align: right;">Page 177</p> <p>1 Christian Holinka 233      2 A No, I don't.      3 Q Do you know if any companies other than      4 those you described as the standard suppliers did?      5 A No, I don't.      6 Q Without going through every location let me      7 just ask you this: Do you recall as you sit here      8 today ever discussing with any of the people who were      9 responsible for ordering supplies at any of these labs      10 the specific sources they used to get Bunsen burner      11 pads?      12 A No, I do not recall.      13 Q Do you recall ever talking with any of      14 those people about the specific sources they used to      15 get asbestos mittens?      16 A No, I do not recall.      17 Q Do you have or do you know the location of      18 any documents that might indicate what specific      19 companies sold to any of the labs where you worked?      20 A No, I don't.      21 Q Do you recall answering written questions      22 called interrogatories in connection with this      23 lawsuit?      24 MR. DARCHE: Answer the question to the      25 best of your ability, if you can.</p>

<p style="text-align: right;">Page 178</p> <p>1 Christian Holinka 234      2 A I filled out some questionnaires related to      3 Mr. Darche's questions.      4 Q Is it your understanding that your lawyers      5 served on the other parties to this case written      6 answers to specific questions including questions      7 about your asbestos exposures, do you have an      8 understanding about that?      9 A No, I don't have any direct understanding.      10 Q I will represent to you that it is my      11 understanding that answers to written interrogatories      12 were served on your behalf in this litigation and one      13 of the answers to the written interrogatories makes      14 reference to potential exposure to asbestos in      15 connection with a product called an autoclave. Do you      16 recall answering any question indicating that you were      17 exposed to asbestos from a product called an      18 autoclave?      19 MR. DARCHE: Objection. The      20 interrogatories that you are referring to were      21 not verified by this witness, so it is my      22 position that you are not really confronting him      23 with something that he has verified.      24 MR. ABERNETHY: Well, forget the      25 verification, let me just ask a simpler question.</p>	<p style="text-align: right;">Page 180</p> <p>1 Christian Holinka 236      2 of the autoclaves that you worked with in the Army?      3 A I don't.      4 Q Can you describe the physical appearance of      5 any of the autoclaves you worked with in the Army?      6 A Yeah. It's typically a large round tube      7 about — stainless steel on the outside, about 4 feet,      8 5 feet long, about 3 feet in diameter that has a door      9 with this circular handle to close tight and then you      10 push a few buttons to let the steam and the heat in.      11 Q Did you work with more than one autoclave      12 while you were in the Army?      13 A I don't recall exactly but I don't believe      14 so.      15 Q And am I correct you do not know who made      16 or sold that autoclave, the one that you remember?      17 A You are correct, I don't remember.      18 Q And as you sit here today you do not      19 remember whether it contained any asbestos or not?      20 A That's correct, I don't know.      21 Q What did you do with an autoclave or      22 autoclaves at Mount Sinai?      23 A Sterilize cell cultures, culture dishes and      24 media.      25 Q Was it one device that you worked with</p>
<p style="text-align: right;">Page 179</p> <p>1 Christian Holinka 235      2 Q Do you believe that you were exposed to      3 asbestos at any location from a product called an      4 autoclave?      5 A I'm not sure. Initially I thought maybe      6 but I'm not even sure if it contains, an autoclave      7 contains asbestos.      8 Q You are familiar with a product or a type      9 of product referred to as an autoclave?      10 A Yes.      11 Q What is an autoclave?      12 A An autoclave sterilizes at high heat and      13 steam bacterial cultures or anything that you may want      14 to sterilize.      15 Q In any of the laboratory or other work that      16 you have done, which the other counsel went over in      17 great detail earlier, in any of that work did you work      18 with autoclaves?      19 A I did in the Army and I did at Sinai.      20 Q What specifically did you do with      21 autoclaves in the Army?      22 A Put in bacterial cultures, TB cultures,      23 gonorrhea cultures after you had diagnosed them and      24 sterilized them.      25 Q Do you know the makers or suppliers of any</p>	<p style="text-align: right;">Page 181</p> <p>1 Christian Holinka 237      2 there or more than one?      3 A One device.      4 Q Can you describe what it looked like?      5 A Comparable to my earlier description. You      6 want me to repeat it?      7 Q You do not have to repeat the earlier      8 description but do you remember what color it was?      9 A Also stainless steel.      10 Q Do you know what the source of power or      11 heat for it was?      12 A No, I don't.      13 Q Do you know who made it or sold it?      14 A I don't.      15 Q And you do not know whether it contained      16 any asbestos?      17 A No, I don't know.      18 Q Did you have any involvement in ordering or      19 buying the autoclave at Mount Sinai?      20 A No.      21 Q Was it there when you got there?      22 A Yes.      23 Q Was the same one in use when you left?      24 A Yes.      25 Q Did it have any logo, marking, nameplate,</p>

<p style="text-align: right;">Page 182</p> <p>1 Christian Holinka 238      2 anything identifying marked on it?      3 A It very likely did.      4 Q Do you recall what it said?      5 A No, I don't.      6 Q Where was it located in the lab?      7 A It was located in the culture room.      8 Q Do you know when that device was acquired      9 by Mount Sinai?      10 A No, I don't.      11 Q Do you know when it was put in service?      12 A I don't.      13 Q Between the time that you were told that      14 you had been diagnosed with bipolar mesothelioma and      15 today, have you looked at any catalogs for laboratory      16 supplies or any portions of any such catalogs?      17 A I have not.      18 Q Have you talked to anyone other than your      19 counsel about the potential suppliers of any of the      20 laboratory equipment that you worked with in the      21 various locations where you did research or academic      22 work while you were employed?      23 A I have not.      24 Q When was the last time you can recall      25 seeing any catalog from any of the suppliers that you</p>	<p style="text-align: right;">Page 184</p> <p>1 Christian Holinka 240      2 to asbestos.      3 MR. DARCHE: Answer his question.      4 A Would you repeat the question again?      5 Q Were any of the specific facts of your      6 exposures to asbestos discussed in any of the      7 conversations that you have had with any former      8 co-workers since the time you were told of your      9 diagnosis?      10 A I don't understand what you mean by      11 specific facts.      12 Q Did you talk to them about any of the      13 circumstances under which you believe you had been      14 exposed to asbestos?      15 A I did talk to them but not about specific      16 facts as to the origin of the asbestos. Simply in      17 relation to my research activities.      18 MR. SCHAFER: I'm sorry, could you read      19 back that answer, please.      20 (Whereupon, at this time, the requested      21 portion was read back by the reporter)      22 Q As you sit here today, do you know the      23 residence or business address of any of the people      24 that you worked with in any of the locations where you      25 believe you were exposed to asbestos?</p>
<p style="text-align: right;">Page 183</p> <p>1 Christian Holinka 239      2 mentioned by name earlier in your testimony?      3 A In 1989 at Sinai.      4 Q Did you do laboratory work at Mount Sinai      5 only at one location?      6 A On one floor in several rooms.      7 Q But it was just in that one building, not      8 in any other facility?      9 A Yes, only on the 20th floor.      10 Q Since the time that you were diagnosed with      11 bipolar mesothelioma we are told that you had been      12 given this diagnosis, have you had any conversation      13 with any former co-workers or supervisors about any of      14 the asbestos exposures that you believe you may have      15 had?      16 A Not about the asbestos exposure, no.      17 Q What have you talked to them about?      18 A My diagnosis.      19 MR. DARCHE: Just note my objection.      20 You can answer.      21 Q And in the context of those discussions      22 about your diagnosis, your asbestos exposure was not      23 discussed with any of them?      24 A Well, it was pretty much recognized that      25 that was — well, they really knew that this related</p>	<p style="text-align: right;">Page 185</p> <p>1 Christian Holinka 241      2 A I do but in some instances, but not right      3 here, I couldn't give it to you right now.      4 Q Do you have any of that information      5 recorded in an address book or a document or anything      6 of that nature?      7 A I do have an address book, yes, with some      8 of their names.      9 Q So, you do not recall them, you do not      10 recall street numbers, city, town, zip code as you sit      11 here but you have some of them written down.      12 A That's correct.      13 MR. DARCHE: Off the record.      14 (Discussion held off the record)      15 Q This topic was touched on, I think, in at      16 least a couple of locations but I am not sure it was      17 covered for all, so let me just ask you a couple of      18 questions briefly about the different places that you      19 worked.      20 While you were at Mount Sinai, to your      21 knowledge were there asbestos materials installed in      22 the building in any of the locations where you worked?      23 A No, there weren't.      24 Q Was there any substantial renovation work      25 done while you were at Sinai in any of the specific</p>

<p style="text-align: right;">Page 186</p> <p>1 Christian Holinka 242      2 locations where you worked?      3 A No.      4 Q Was there any asbestos material to your      5 knowledge installed in the building in any of the      6 locations where you did work at Columbia Presbyterian?      7 A To my knowledge, no.      8 Q Were there any renovations of any substance      9 done in the areas where you worked at Columbia      10 Presbyterian while you were there?      11 A No.      12 Q Was there any asbestos material to your      13 knowledge installed in the lab where you did work at      14 SUNY Stony Brook?      15 A No.      16 Q Were there any renovations done to that lab      17 while you were employed there or while you did your      18 academic work there?      19 A No.      20 Q Was there any asbestos material installed      21 in any of the facilities at Hunter College while you      22 were studying there?      23 A Not to my knowledge.      24 Q Were there any renovations done in any of      25 the locations where you were living or studying or</p>	<p style="text-align: right;">Page 188</p> <p>1 Christian Holinka 244      2 A No.      3 MR. ABERNETHY: Those are all the questions      4 I have for you. Thank you very much.      5 MR. DARCHE: We will stop now for the day      6 and I will send out a deposition notice tomorrow.      7 (Whereupon, at 3:40 P.M., the      8 examination of this witness was concluded)      9      10      11      12      13      14      15      16      17      18      19      20      21      22      23      24      25</p>
<p style="text-align: right;">Page 187</p> <p>1 Christian Holinka 243      2 doing lab work at Hunter College?      3 A No.      4 Q Was there any asbestos material installed      5 in any of the labs where you worked or did research or      6 academic work at the University of California at      7 Berkeley?      8 A No.      9 Q Were there any renovations underway in any      10 of the classrooms or laboratory space where you      11 studied or did research work or were employed at the      12 University of California at Berkeley?      13 A No.      14 Q Were there any asbestos materials installed      15 anywhere where you worked at Booth Hospital?      16 A No.      17 Q Was that lab renovated at all while you      18 were working there?      19 A No, it wasn't.      20 MR. ABERNETHY: Bear with me just one      21 second.      22 Q Was there any substantial renovation work      23 done while you were employed in any of the facilities      24 where you worked when you were employed by the      25 pharmaceutical companies that you mentioned earlier?</p>	<p style="text-align: right;">Page 189</p> <p>1 Christian Holinka 245      2      3 WITNESS CERTIFICATION      4      5 I have read the foregoing transcript of my      6 testimony and find it to be true and accurate to      7 the best of my knowledge and belief.      8      9      10      11 CHRISTIAN HOLINKA      12 Subscribed and sworn to      13 before me on this _____ day      14 of _____, 2007.      15      16      17      18 NOTARY PUBLIC      19      20      21      22      23      24      25</p>

Page 190

1                   246  
2                   INDEX TO TESTIMONY  
3                   Page Line  
4   Continued Direct Examination by     63    8  
     Mr. Schaffer  
5  
6   Cross-Examination by Mr. Abernethy 210   2  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 191

1                   CERTIFICATE OF NOTARY 247  
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3   I, CHERYL F. BAREN, a Stenotype Shorthand  
4   Reporter and Notary Public within and for the State of  
5   New York, do hereby certify that the within Continued  
6   Examination Before Trial of CHRISTIAN HOLINKA was held  
7   before me and I faithfully and impartially recorded  
8   stenographically the questions, answers and colloquy.  
9  
10   I further certify that after said examination was  
11   recorded stenographically by me, it was reduced to  
12   typewriting under my supervision, and I hereby submit  
13   that the within contents of said examination are true  
14   and accurate to the best of my ability.  
15  
16   I further certify that I am not a relative of nor  
17   an attorney for any of the parties connected with the  
18   aforesaid examination, nor otherwise interested in the  
19   testimony of the witness.  
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23                   CHERYL F. BAREN  
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25